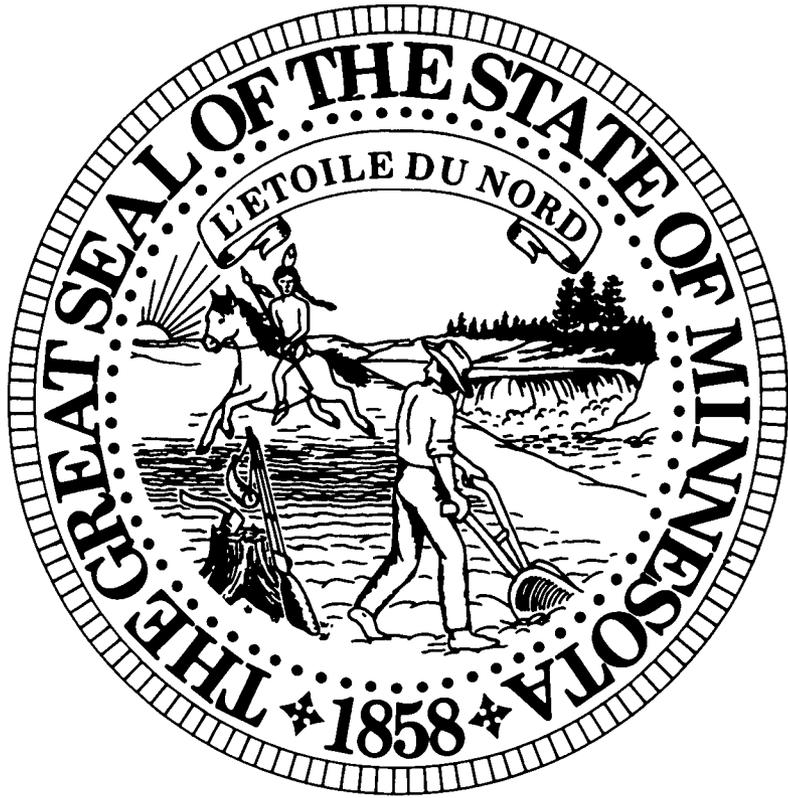


The Minnesota
**State
Register**

Department of Administration—Print Communications Division



Rules edition
Published every Monday
(Tuesday if Monday is a holiday)

Monday 1 June 1992
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State Register

Judicial Notice Shall Be Taken of Material Published in the *State Register*

The *State Register* is the official publication of the State of Minnesota, containing executive and commissioners' orders, proposed and adopted rules, official and revenue notices, state and non-state contracts, contract awards, grants, a monthly calendar of cases to be heard by the state supreme court, and announcements.

A *Contracts Supplement* is published every Thursday and contains additional state contracts and advertised bids, and the most complete source of state contract awards available in one source.

Printing Schedule and Submission Deadlines

Vol. 16 Issue Number	*Submission deadline for Adopted and Proposed Rules, Commissioners' Orders**	*Submission deadline for Executive Orders, Contracts, and Official Notices**	Issue Date
49	Monday 18 May	Friday 22 May	Monday 1 June
50	Friday 22 May	Monday 1 June	Monday 8 June
51	Monday 1 June	Monday 8 June	Monday 15 June
52	Monday 8 June	Monday 15 June	Monday 22 June

*Deadline extensions may be possible at the editor's discretion; however, none will be made beyond the second Wednesday (12 calendar days) preceding the issue date for rules, proposed rules and executive orders, or beyond the Wednesday (5 calendar days) preceding the issue date for official notices. Requests for deadline extensions should be made only in valid emergency situations.

**Notices of public hearings on proposed rules and notices of intent to adopt rules without a public hearing are published in the Proposed Rules section and must be submitted two weeks prior to the issue date.

Instructions for submission of documents may be obtained from the *State Register* editorial offices, 504 Rice Street, St. Paul, Minnesota 55103, (612) 296-0929.

The *State Register* is published every Monday (Tuesday when Monday is a holiday) by the State of Minnesota, Department of Administration, Print Communications Division, 117 University Avenue, St. Paul, Minnesota 55155, pursuant to *Minnesota Statutes* § 14.46. A *State Register Contracts Supplement* is published every Thursday. The Monday edition is the vehicle for conveying all information about state agency rulemaking, including official notices; hearing notices; proposed, adopted and emergency rules. It also contains executive orders of the governor; commissioners' orders; state contracts and advertised bids; professional, technical and consulting contracts; non-state public contracts; state grants; decisions of the supreme court; a monthly calendar of scheduled cases before the supreme court; and other announcements. The Thursday edition contains additional state contracts and advertised bids, and the most complete listing of contract awards available in one source.

In accordance with expressed legislative intent that the *State Register* be self-supporting, the following subscription rates have been established: the Monday edition costs \$140.00 per year and includes an index issue published in August (single issues are available at the address listed above for \$3.50 per copy); the combined Monday and Thursday editions cost \$195.00 (subscriptions are not available for just the *Contracts Supplement*); trial subscriptions are available for \$60.00, include both the Monday and Thursday edition, last for 13 weeks, and may be converted to a full subscription anytime by making up the price difference. No refunds will be made in the event of subscription cancellation.

Both editions are delivered postpaid to points in the United States, second class postage paid for the Monday edition at St. Paul, MN, first class for the Thursday edition. Publication Number 326630 (ISSN 0146-7751).

Subscribers who do not receive a copy of an issue should notify the *State Register* circulation manager immediately at (612) 296-0931. Copies of back issues may not be available more than two weeks after publication.

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Department of Administration**

Kathi Lynch, Director

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FOR LEGISLATIVE NEWS

Publications containing news and information from the Minnesota Senate and House of Representatives are available free to concerned citizens and the news media. To be placed on the mailing list, write or call the offices listed below:

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Briefly-Preview—Senate news and committee calendar; published weekly during legislative sessions.

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Contact: Senate Public Information Office
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Session Summary—Summarizes all bills that both the Minnesota House of Representatives and Minnesota Senate passed during their regular and special sessions.

Contact: House Information Office
Room 175 State Office Building, St. Paul, MN 55155
(612) 296-2146

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The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 75 state agencies have the authority to issue rules. Each agency is assigned specific *Minnesota Rule* chapter numbers. Every odd-numbered year the *Minnesota Rules* are published. This is a ten-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Proposed and adopted emergency rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

If an agency seeks outside opinion before issuing new rules or rule amendments, it must publish a NOTICE OF INTENT TO SOLICIT OUTSIDE OPINION in the *Official Notices* section of the *State Register*. When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues 1-13 inclusive; issues 14-25 inclusive; issue 26, cumulative for issues 1-26; issues 27-38 inclusive; issue 39, cumulative for 1-39; issues 40-51 inclusive; and issue 52, cumulative for 1-52. An annual subject matter index for rules appears in August. For copies of the *State Register*, a subscription, the annual index, the *Minnesota Rules* or the *Minnesota Guidebook to State Agency Services*, contact the Print Communications Division, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000 or toll-free in Minnesota 1-800-9747.

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Publication editors: As a public service, please reprint this ad in your publication as is, reduced, enlarged, or redesigned to suit your format. Thank you.

Proposed Rules

Pursuant to Minn. Stat. §§ 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless 25 or more persons make a written request for a hearing within the 30-day comment period;
3. of the manner in which persons shall request a hearing on the proposed rules; and
4. that the rule may be modified if the modifications are supported by the data and views submitted.

If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

Pursuant to Minn. Stat. §§ 14.29 and 14.30, agencies may propose emergency rules under certain circumstances. Proposed emergency rules are published in the *State Register* and, for at least 25 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Department of Agriculture

Proposed Permanent Rules Relating to Agricultural Liming Material

Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Department of Agriculture intends to adopt the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedures Act for adopting rules without a public hearing in *Minnesota Statutes*, sections 14.22-14.28. The statutory authority to adopt this rule is *Minnesota Statutes*, section 18C.575.

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state their name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any proposed change. If a public hearing is required, the department will proceed according to *Minnesota Statutes*, sections 14.131-14.20.

Comments or written requests for a public hearing must be submitted to: Carol Milligan, Minnesota Department of Agriculture, 90 West Plato Boulevard, St. Paul, MN 55107, (612) 296-6906. The comment period ends on July 1, 1992. All comments must be received by the department by 4:30 p.m. on that day.

The proposed rule may be modified if the modifications are supported by the data and views submitted to the department and do not result in a substantial change in the proposed rule as noticed.

A copy of the proposed rule is attached to this notice.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available upon request from Ms. Milligan.

Many of the businesses that distribute agricultural liming material and are governed by this rule are small business as defined by *Minnesota Statutes*, section 14.115. The rules have been drafted to keep administrative and reporting requirements to a minimum while assuring consumer protection. Therefore, no special provisions for small business have been incorporated into the rule.

If no hearing is required, upon adoption of the final rule, the rule and the required supporting documents will be submitted to Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule must submit a written request to Ms. Milligan.

Dated: 7 May 1992

STATE OF MINNESOTA
Elton Redalen, Commissioner
Department of Agriculture

Rules as Proposed (all new material)**1509.0010 AUTHORITY AND PURPOSE.**

Parts 1509.0010 to 1509.0040 are adopted by the commissioner under *Minnesota Statutes*, section 18C.575, to prescribe conditions for label information, analytical and sampling methods, license and inspection fee qualifications, analysis results and sample content certification, and distribution of agricultural liming material by the cubic yard.

1509.0015 DEFINITIONS.

Subpart 1. **Scope.** The definitions in this part and the definitions of "agricultural liming materials," "bulk," "burnt lime," "commissioner," "distributor," "ENP," "hydrated lime," "label," "marl," "official sample," "percent; percentage," "person," "producer," "source of production," "stockpile," "ton," and "weight," in *Minnesota Statutes*, section 18C.531, apply to parts 1509.0010 to 1509.0040.

Subp. 2. **ALM.** "ALM" means agricultural liming materials.

Subp. 3. **Delivery.** "Delivery" means the complete transfer of an ALM order to a specific site as indicated to the purchaser on a billing, delivery, invoice ticket, or label.

Subp. 4. **Department.** "Department" means the Minnesota Department of Agriculture.

Subp. 5. **Exempt.** "Exempt" means distributors or producers of industrial or municipal by-product ALM who are exempt from fees for licensing and inspection under *Minnesota Statutes*, section 18C.541, subdivision 6.

Subp. 6. **Label.** "Label" means the display of all written, printed, or graphic matter on the immediate container or the statement accompanying a shipment of ALM. A billing, delivery, or invoice ticket is a label.

Subp. 7. **Limestone.** "Limestone" means a material consisting of calcium carbonate or a combination of calcium carbonate with magnesium carbonate capable of neutralizing soil acidity. Limestone also refers to all carbonate minerals and rock-forming carbonate minerals unless otherwise specified in *Minnesota Statutes*, section 18C.531.

Subp. 8. **Pounds of ENP per ton.** "Pounds of ENP per ton" means the pounds of effective neutralizing power in one ton of ALM corrected for moisture. $[(2,000 \text{ pounds ALM per ton}) (\text{percentage of ENP} \div 100) (\text{percentage of dry matter ALM} \div 100)] = \text{pounds of ENP per ton}$.

Subp. 9. **Transportation charges.** "Transportation charges" means charges associated with distribution and transport of ALM, including charges relating to application and over-the-road transport.

1509.0020 LABEL INFORMATION REQUIREMENTS.

Subpart 1. **Label information requirements for bulk delivery.** ALM offered for sale, sold, or distributed in this state in bulk must have a written label accompanying a delivery and supplied to any purchaser or end user at the time of delivery. The label must contain the following information:

- A. the distributor's or producer's name, address, telephone number, and source of production or stockpile location;
- B. the purchaser's name and address;
- C. the date of sale or transfer;
- D. the type of ALM listed as one of the following:

(1) "calcium oxide," which is the chemical compound composed of calcium and oxygen. It is formed from calcium carbonate by heating limestone to drive off the carbon dioxide. Also known as quick lime, unslated lime, burnt lime, and caustic lime, it does not occur in nature;

(2) "fluid grade ALM," which is ALM that is applied in a suspended formulation;

(3) "hydrated lime," which is a material made from burnt lime that consists of calcium hydroxide or a combination of calcium hydroxide with either magnesium oxide, magnesium hydroxide, or both;

(4) "industrial or municipal by-product ALM," which is industrial waste or by-product, or the by-product of an industrial production process or municipal water or waste treatment process containing calcium or magnesium compounds, or both, in a form that neutralizes soil acidity;

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Proposed Rules

(5) "marl," which is a granular or loosely consolidated earthy material composed largely of shell fragments and calcium or magnesium carbonate, or both;

(6) "pelleted ALM," which is ALM of any type that is manufactured and marketed in a pelleted formulation;

(7) "quarry ALM," which is ALM that results from the grinding or sieving of limestone at a quarry or other production site and that is applied on agricultural land without further processing or alteration;

(8) "slag," which is a by-product ALM made of calcium-magnesium aluminosilicate (Ca-MgSiO₃) resulting from the manufacturing of pig-iron; or

(9) "woodash," which is a by-product ALM resulting from wood burning processes;

E. the minimum pounds of ENP per ton;

F. the weight or cubic yards of ALM distributed;

G. the conversion factor for tons per cubic yard if ALM is being sold by cubic yard units; and

H. for exempt ALM distributors and producers, a list of any charges for ALM, transportation, or application fees.

Subp. 2. **Label information requirements for bags and other container types.** ALM packaged in bags and other container types that are distributed, offered for sale, sold, or disposed of in this state for agricultural use must have a label on either the face, display, or back side of the bag or container or printed on tags affixed to the upper end of the container, stating in a clear, legible, and conspicuous form the following required information:

A. the distributor's or producer's name and address;

B. the minimum pounds of ENP per ton; and

C. the net weight.

1509.0025 OFFICIAL SAMPLE AND ANALYSES TO DETERMINE LABEL INFORMATION ACCURACY.

Subpart 1. **Required samples and analysis.** The department shall take official samples and perform analyses of ALM sources of production or blending sites to determine required label information. An official sample and analysis must be taken at least once a year at each production or blending site.

Subp. 2. **Sampling and analysis of blended ALM products.** The department shall take official samples and perform analyses of ALM that is blended, even though an official analysis exists for the separate ALM components of the blend. The person blending ALM must pay the sampling fee required by *Minnesota Statutes*, section 18C.551, subdivision 4.

Subp. 3. **Official ALM analysis method.** The most recent edition of "Quality Determination of Liming Materials," from the Soil Testing Laboratories of the University of Minnesota, Saint Paul, Minnesota 55108, is the official ALM analysis method. This document is incorporated by reference, is not frequently amended, and is available at the Minnesota State Law Library.

Subp. 4. **Label pounds of ENP per ton tolerance.** Current label pounds of ENP per ton must be changed if the revised pounds of ENP per ton resulting from an official sample and analysis is more than three percent below current label pounds of ENP per ton.

Subp. 5. **Label accuracy.** If a distributor or other person believes ALM is mislabeled, the department shall take ALM samples and perform analyses to verify content. If the ALM label is found to be correct, the requesting party must pay the sampling fee required by *Minnesota Statutes*, section 18C.551, subdivision 4. If the ALM label is found to be incorrect, the supplying distributor or producer must pay the fee required by *Minnesota Statutes*, section 18C.551, subdivision 4.

1509.0030 ALM LICENSE AND INSPECTION FEE.

Subpart 1. **Free distribution.** If a producer distributes ALM to another person free of charge under *Minnesota Statutes*, section 18C.541, subdivision 6, the producer is not liable for any license and inspection fees that may be required later if the product is sold.

Subp. 2. **Custom application.** A person who custom applies and does not distribute ALM is not liable for license and inspection fees.

Subp. 3. **Reporting transportation charges to department.** Distributors or producers applying for license and inspection fee exemption under *Minnesota Statutes*, section 18C.541, subdivision 6, must disclose transportation charges assessed in the distribution of industrial or municipal by-product ALM. Transportation charges must be itemized to show fees assessed for application and over-the-road transport.

Subp. 4. **Determining fair and reasonable transportation charges.** To determine fair and reasonable transportation charges, the department shall collect transportation charges data via information required on annual license or other applications provided by the department. Transportation charges data collected must be separated into two geographical areas:

A. the metropolitan area, as defined in *Minnesota Statutes*, section 473.121, subdivision 2; and

B. all of Minnesota outside the metropolitan area. These geographical areas designate where industrial or municipal by-product ALM is produced or initially transported from. Data collected must be averaged for each respective area. Distributors or producers except those exempt under *Minnesota Statutes*, section 18C.541, subdivision 6, must pay license and inspection fees if their transportation charges exceed the average area transportation charge.

Subp. 5. **Inspection fee assessment limitation.** Inspection fees assessed under *Minnesota Statutes*, section 18C.551, subdivision 3, are limited to one assessment during distribution in Minnesota. Verification of prior inspection fee payment is required.

1509.0035 CERTIFICATION OF ALM ANALYSIS RESULTS AND SAMPLE CONTENT.

Subpart 1. **Certification.** The commissioner may certify an ALM analysis result, methods, or sample content as submitted to the department by an ALM producer.

Subp. 2. **Analysis certification.** ALM producers may be certified to analyze ALM content if they agree to abide by department methods for sampling and analysis. Producers wishing to be certified must complete an application form and file a notarized affidavit with the department on forms provided by the commissioner.

A certified producer that distributes ALM during the production process must sample weekly and analyze the composite of the weekly samples on a monthly basis. A certified producer that does not distribute ALM during the production process must collect representative samples prior to or during distribution for analysis.

Certified producers must compile reports to be submitted to the department semiannually on January 1 and July 1 on forms provided by the commissioner that detail the number of samples taken for the analysis and the results of the analysis. Certification may be revoked for failure to abide by department methods for sampling and analysis or for failure to file reports.

Subp. 3. **Sample certification.** An ALM sample must be considered for certification if a producer notifies the department of such a request in sufficient time for the department to send information concerning sampling methods, affidavit, sample collection report form, and ALM sampling containers to the producer. A producer shall submit to the department an ALM sample with no less than ten pounds of ALM, a completed, notarized affidavit, and a completed sample collection report.

Subp. 4. **Departmental sample collection.** The department may collect and analyze ALM to verify analysis results, methods, or sample content if a certification request is being made to meet requirements of *Minnesota Statutes*, section 18C.551, subdivision 4. The producer must bear the cost of sample collection and analysis made to produce sufficient verification for certification as specified in *Minnesota Statutes*, section 18C.551, subdivision 4.

1509.0040 DISTRIBUTION OF ALM BY CUBIC YARD.

Subpart 1. **ALM distribution vehicle cubic yard capacity reporting requirements.** Each distributor or producer distributing ALM on a cubic yard basis or without the use of a Department of Public Service, Weights and Measures Division, approved scale is responsible for determining and reporting the cubic yard capacity of each vehicle and measuring or loading device used for this purpose.

Subp. 2. **Application for certification to distribute ALM on a cubic yard basis.** Distributors or producers distributing ALM by the cubic yard shall submit an annual written report to the department on forms furnished by the commissioner. Certification to distribute ALM by the cubic yard must be indicated on the distributor's or producer's license.

Subp. 3. **Listing cubic yards distributed on label.** Distributors or producers distributing ALM on a cubic yard basis must identify on the label cubic yards distributed. Distributors or producers shall list approximate weight per cubic yard.

Subp. 4. **Renewal of certification to distribute ALM on a cubic yard basis.** Unless otherwise specified in the report, certification to distribute ALM on a cubic yard basis must be renewed annually by December 31. If a change in the vehicle or loading or measuring device usage or other data occurs during the period for which distribution by the cubic yard is done, the department must be notified of change, via forms furnished by the commissioner, within 15 business days after the change.

Subp. 5. **Verification of cubic yard data.** The department may verify cubic yard data for each vehicle or loading or measuring device reported by requesting the Department of Public Service, Weights and Measures Division, to determine the cubic yard capacity of the vehicle or loading or measuring device under *Minnesota Statutes*, chapter 239. *Minnesota Statutes*, section 239.10, requires the Weights and Measures Division to charge a fee for inspections made to verify cubic yard capacity of a vehicle or loading or measuring device. The distributor or producer must pay the verification fee.

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Department of Employee Relations

Proposed Amendments to Proposed Permanent Rules Relating to Labor; Local Government Pay Equity Compliance

Notice of Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Department of Employee Relations (hereinafter the "Department") intends to adopt the above-referenced rules with a public hearing following the procedures set forth in the Administrative Procedures Act for adopting rules with a public hearing. See *Minnesota Statutes* Sections 14.131 to 14.20 (1990) and *Laws of Minnesota 1992*, Chapter 494. A public hearing on the above-entitled rules will be held in the Basement Hearing Room, State Office Building, 435 Park Street, St. Paul, Minnesota 55155, on July 8, 1992, commencing at 9:00 a.m. and continuing until all interested or affected persons have an opportunity to participate. The proposed rules may be modified as a result of the hearing process if the modifications do not result in a substantial change in the proposed rules as noticed. Therefore, if you are affected in any manner by the proposed rules, you are urged to participate in the rule hearing process.

PLEASE NOTE that a hearing in this matter was held by the Honorable Allen E. Giles on November 14, 1991. The record initially closed on December 2, 1991. Subsequently, on December 31, 1991, Judge Giles found that the rules as proposed by the Department were needed and reasonable. However, he also found that the Department of Employee Relations failed to include a fiscal note in its Notice of Hearing as provided for in *Minnesota Statutes* § 14.11, subd. 1, that this constituted a defect in the rule, that to cure the defect the Department must recommence this rulemaking proceeding and that the Department would be required to republish or renounce its proposed rules with an adequate fiscal note in the Notice of Hearing. On January 2, 1992, the Chief Administrative Law Judge approved the report and recommendation of Judge Giles in all respects. Therefore, the Department has decided to renounce this matter and hold a new hearing. However, the record of the November 14, 1991 hearing and all written material submitted to Judge Giles through December 2, 1991 will be entered into the record of this proceeding. **It is not necessary for anyone who submitted oral or written testimony at the previous proceeding to resubmit the testimony.** Only new testimony needs to be submitted. A list of the documents and material contained in the previous hearing record is attached as Appendix A to the Department's Supplemental Statement of Need and Reasonableness.

Following the Department's presentation at the hearing, all interested or affected persons will have an opportunity to participate. Such persons may present their views either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should be pertinent to the matter at hand. Written material not submitted at the time of the hearing which is to be included in the hearing record may be delivered, mailed or sent by electronic facsimile to the presiding Administrative Law Judge, either before the hearing or within five working days after the public hearing ends. The telephone number for submitting material by electronic facsimile to the Administrative Law Judge is: (612) 349-2665. The Administrative Law Judge may at the hearing order that the record be kept open for a longer period not to exceed 20 calendar days. The comments received during the comment period shall be available for review at the Office of Administrative Hearings. Following the close of the comment period the Department and all interested persons have five business days to respond in writing to any new information submitted during the comment period. **Any written material or responses submitted must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the final day.** During the five-day period, the Department may indicate in writing whether there are amendments suggested by other persons which the Department is willing to adopt. No additional evidence may be submitted during the five-day period. The written responses shall be added to the rulemaking record. Upon the close of the record, the Administrative Law Judge will write a report as provided for in *Minnesota Statutes*, sections 14.15 and 14.50.

The matter will be heard before Administrative Law Judge Allen E. Giles, Office of Administrative Hearings, 500 Flour Exchange Building, 310 Fourth Avenue South, Minneapolis, Minnesota 55415, telephone number: (612) 349-2543. The rule hearing procedure is governed by *Minnesota Statutes*, sections 14.131 to 14.20 (1990), as amended by *Laws of Minnesota 1992*, Chapter 494, and by the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.0200 to 1400.1200 (1991). Questions about the rule hearing procedure should be directed to the Administrative Law Judge at the address and telephone number stated above.

The proposed rules govern the procedures the Department of Employee Relations will use to determine compliance with the Local Government Pay Equity Act, *Minnesota Statutes*, sections 471.991 to 471.999. The rules cover the following matters: they define applicable terms; specify the process for determining which jurisdictions are responsible; identify information which must be included in reports submitted to the Department by local governments; specify the Department's compliance review process; specify a statistical analysis test, an alternative analysis test, and other tests jurisdictions must pass in order to be found in compliance with the pay equity law; require notification to local governments of the compliance decision; specify the procedures for requesting and considering reconsideration of the Department's decision; provide procedures for enforcing penalties for non-compliance; specify procedures for local governments to request reconsideration of the Department's compliance decision, or to file a contested case appeal; and, specify procedures for maintaining pay equity in the future.

The proposed rules as originally proposed by the Department were published at *State Register*, volume 16, at pages 893-909,

October 14, 1991 (16 S.R. 893). The rules are not being republished as part of this notice. However, for the convenience of interested parties and the administrative law judge, the Department has published below the amendments to the rules as originally published which the Department proposed at the November 14, 1991 hearing and in its post-hearing comments dated November 25, 1991. **The Department has proposed no other amendments to these rules.**

One free copy of the proposed rules as originally published as well as one copy of the Department's previously proposed amendments is available upon request by contacting Faith Zwemke, Department of Employee Relations, Centennial Office Building, 658 Cedar Street, St. Paul, MN 55155, (612) 296-2653. Additional copies will be available at the hearing. If you have any questions on the content of the rule, contact Faith Zwemke.

The agency's authority to adopt the proposed rules is contained in *Laws of Minnesota for 1991*, chapter 128, section 2.

It is the Department's position that all costs associated with these rules result from the requirements of the pay equity statute and not from the rules themselves, and that therefore, the requirements of *Minnesota Statutes* section 14.11, subdivision 1 do not apply. However, as noted above, in the earlier proceeding, the Administrative Law Judge and the Chief Administrative Law Judge found to the contrary. Therefore, the Department has proceeded to prepare a fiscal note estimating the fiscal impact of these rules on local governments in the two years following their adoption.

Specifically, the Department estimates that the statewide cost to local governments to come into compliance with the pay equity law as described in the proposed rules will result in additional spending by local public bodies in excess of \$100,000 per year for the first two years following adoption. Accordingly, assuming that these costs are viewed as being attributable to the rules, pursuant to the requirements of *Minnesota Statutes*, section 14.11, subd. 1 the Department estimates that the costs to local governments associated with these rules will exceed \$100,000. More specifically, the Department estimates that up to 33% of the approximately 1600 jurisdictions required to comply with the pay equity law and accordingly with these rules may be found not-in compliance as of the initial compliance review of their January 31, 1992 implementation reports. Further, the Department estimates the total cost to these jurisdictions to implement pay equity and to come into compliance to be \$16,414,992. The basis for this estimate is explained in the Department's Supplemental Statement of Need and Reasonableness.

NOTICE: Any person may request notification of the date on which the Administrative Law Judge's report will be available, after which date the agency may not take any final action on the rules for a period of five working days. If you desire to be notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the Administrative Law Judge. Any person may request notification of the date on which the rules were adopted and filed with the secretary of state. The notice must be mailed on the same day the rules are filed. If you want to be so notified you may so indicate at the hearing or send a request in writing to the agency at any time prior to the filing of the rules with the secretary of state.

NOTICE IS HEREBY GIVEN that a **STATEMENT OF NEED AND REASONABLENESS (SONAR)** is now available for review at the Department and at the Office of Administrative Hearings. Both the original SONAR which consisted of a summary of all the evidence and argument which the agency anticipated presenting at the November 14, 1991 hearing justifying the need for and reasonableness of the proposed rules, **and** a supplement describing the Department's fiscal note and a few other issues raised by the December 31, 1991 report of Administrative Law Judge Allen E. Giles are on file. Copies of the Statement of Need and Reasonableness and the Supplement may be reviewed at the agency or at the Office of Administrative Hearings and copies may be obtained from the Office of Administrative Hearings for the cost of reproduction.

Minnesota Statutes, chapter 10A, requires each lobbyist to register with the state Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in *Minnesota Statutes* § 10A.01, subd. 11 (1990). The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 1st Floor Centennial Bldg., 658 Cedar Street, St. Paul, Minnesota 55155, (612) 296-5148.

Dated: 18 May 1992

STATE OF MINNESOTA

Linda M. Barton, Commissioner
Department of Employee Relations

Amended Rules as Proposed

3920.0100 DEFINITIONS.

Subpart 1. [See *State Register*, Volume 16, Number 16, pages 893-909]

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Proposed Rules

Subp. 2. **Benefits.** "Benefits" means health insurance or health self-insurance programs to which a jurisdiction contributes on behalf of an employee or an employee plus dependents. Benefits does not include pensions, life insurance, dental insurance, disability insurance, or other insurance programs.

Subp. 3. **Compensation.** "Compensation" consists of salary, exceptional service pay, and benefits. Compensation does not include overtime pay, shift differentials, or uniform allowances, as defined in items A to C. Compensation also excludes any other payments not defined as salary, benefits, or exceptional service pay.

A. "Overtime pay" means payment to ~~nonexempt~~ employees for services performed in excess of the normal work period, and when the payments are required by applicable state and federal overtime laws, by an applicable collective bargaining agreement, or by written personnel policies.

B. "Shift differential" means payment to employees for working other than the standard daytime weekday shift.

C. "Uniform allowance" means payment to employees for purchasing a specified, required uniform.

Subps 4. to 7. [See *State Register*, Volume 16, Number 16, pages 893-909]

Subp. 8. **Job evaluation system.** "Job evaluation system" means the system used to measure the comparable work value of work performed by each class of employees under Minnesota Statutes, section 471.994.

Subp. 9. **Jurisdiction.** "Jurisdiction" means a political subdivision, governmental subdivision, or public employer responsible for achieving equitable compensation relationships under *Minnesota Statutes*, sections 471.991 to 471.999. For purposes of pay equity compliance, jurisdiction means a public employer as defined by *Minnesota Statutes*, section 179A.03, subdivision 15, clause (c), except that jurisdiction ~~also includes~~ may also include charitable hospitals as defined by *Minnesota Statutes*, section 179.35, subdivision 2.

If a charitable hospital does not have final budgetary approval authority for employees in the hospital, the jurisdiction for purposes of parts 3920.0100 to 3920.1300 is defined as the public employer with final budgetary approval authority for employees in that hospital. If the governing board of a joint powers agency does not have final budgetary approval authority for employees in the joint powers agency, the jurisdiction for purposes of parts 3920.0100 to 3920.1300 is defined as the public employer with final budgetary approval authority for employees in that joint powers agency.

Subps 10. and 11. [See *State Register*, Volume 16, Number 16, pages 893-909]

3920.0200 [See *State Register*, Volume 16, Number 16, pages 893-909.]

3920.0300 IMPLEMENTATION REPORTS.

Subps 1. and 2. [See *State Register*, Volume 16, Number 16, pages 893-909]

Subp. 3. **Notice to employees.** The report must include a statement signed by the chief elected official verifying that employees have been notified, as provided in this subpart, that the report is public data under the Minnesota Government Data Practices Act, *Minnesota Statutes*, chapter 13. If there is no chief elected official, the statement must be signed by the chief appointed official of the jurisdiction.

The jurisdiction must send the notice to each exclusive representative, if any, for the jurisdiction. In addition, the jurisdiction must post the notice in a prominent location accessible to all employees, and make a copy available in the public library. The notices must be sent and posted before the report is submitted to the department. Posted notices must remain posted for at least 90 days after the report is submitted to the department.

The written and posted notices must include the following information:

A. a statement that the jurisdiction has submitted its implementation report to the department as required by the Local Government Pay Equity Act; and

B. a statement that the report is public information available to anyone requesting this information.

Subp. 4. **Verifications.** The report must include a statement signed by the chief elected official or, if none, the chief appointed official of the jurisdiction verifying that:

A. all information in the report is accurate and complete to the best of the jurisdiction's knowledge;

B. the governing body of the jurisdiction has reviewed and approved the report; ~~and~~

C. the job evaluation system used by the jurisdiction meets the criteria in subitems (1) and (2):

(1) the job evaluation system is based on the skill, effort, responsibility, and working conditions normally required in the performance of the work; and

(2) the same job evaluation system is used for determining comparable work value for all classes of employees in the jurisdiction; and

D. the report includes all classes of employees over which the jurisdiction has final budgetary approval authority.

Subp. 5. [See *State Register*, Volume 16, Number 16, pages 893-909]

Subp. 6. **Benefits.** The jurisdiction must report whether or not eligibility for benefits, or the jurisdiction's contribution limit for benefits, is different for any male-dominated and female-dominated classes of comparable work value. Classes are of comparable work value for purposes of this subpart if their job evaluation ratings are within a range of ratings equal to ten percent of each other in the total range of evaluation ratings in the jurisdiction.

The total range of evaluation ratings is determined by subtracting the lowest rating assigned to any class in the jurisdiction from the highest rating assigned to any class in the jurisdiction. The rating corresponding to ten percent of that amount is determined by dividing the total range of evaluation ratings by ten.

To determine whether differences exist, jurisdictions must compare benefits eligibility and contribution limits for each female-dominated class to benefits eligibility and contribution limits for each male-dominated class within an evaluation range extending from ten percent of the total range of evaluation ratings below the female-dominated class to ten percent of the total range of evaluation ratings above the female-dominated class.

If differences exist, and if the differences represent a disadvantage lower contribution limit or more limited eligibility for any female-dominated class, the jurisdiction must report the following information for all classes:

- A. eligibility or lack of eligibility for each benefit program; and
- B. the amount of the employer's contribution limit for each benefit program, prorated to determine monthly value.

Subp. 7. [See *State Register*, Volume 16, Number 16, pages 893-909]

Subp. 8. **Total payroll.** The jurisdiction must state the amount of its total actual annual payroll for the year ending December 31, 1991.

3920.0400 COMPLIANCE REVIEW.

Subps 1. and 2. [See *State Register*, Volume 16, Number 16, pages 893-909]

Subd. 3. Data review. Before completing the compliance review, the department must mail to each jurisdiction a printout showing the data derived from the jurisdiction's implementation report which will be used in determining compliance for that jurisdiction. The department may not make a compliance decision for a period of 14 days after the date shown on the printout mailed to the jurisdiction. If a jurisdiction submits written notification to the department within the 14-day period that any of those data are in error, the department must review the data and correct any bona fide data entry errors before making a compliance decision.

3920.0500 STATISTICAL ANALYSIS TEST.

Subps 1. and 2. [See *State Register*, Volume 16, Number 16, pages 893-909]

Subp. 3. **Steps in statistical analysis.** For each jurisdiction with more than three male-dominated classes, the department must conduct a statistical analysis. The analysis includes determining and analyzing the following data: predicted pay, underpayment ratio, average pay difference, and statistical significance of the average pay difference as described in subparts 4 to 9. All operations in this part are based on unrounded data, except when otherwise specified.

Subp. 4. **Determining predicted pay.** The department must determine predicted pay for each male-dominated and female-dominated class in the jurisdiction. Predicted pay means predicted salary for those jurisdictions which do not have different benefits for male-dominated and female-dominated classes of comparable work value, as described in part 3920.0300, subpart 6. For those jurisdictions which do have different benefits for male-dominated and female-dominated classes of comparable work value, predicted pay means the total predicted amount of salary plus benefits contribution limits.

The department must determine predicted pay by creating a window, drawing a regression line within the window, and identifying a predicted pay point on the regression line. The process described in items A to D is continued until pay has been predicted for each male-dominated and female-dominated class in the jurisdiction.

A. Creating a window. The analysis creates a window around the class. The window defines classes of comparable work value for purposes of the statistical analysis. The window must represent at least Except as provided in item B, each window represents 20 percent of the total range of job evaluation ratings in the jurisdiction. The total range of evaluation ratings is determined by subtracting the lowest rating assigned to any class from the highest rating assigned to any class. The result is then multiplied by 20 and divided by 100. In addition, the window must meet the criteria in subitems (1) to (4).

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Proposed Rules

(1) The lower limit of the window is at least ten percent below the evaluation rating of the class being analyzed and the upper limit is at least ten percent above the class being analyzed by ten percent of the total range of evaluation ratings, except when the class being analyzed is in the bottom ten percent or the top ten percent of the total range of evaluation ratings. The upper limit of the window is above the evaluation rating of the class being analyzed by ten percent of the total range of evaluation ratings, except when the class being analyzed is in the top ten percent or the bottom ten percent of the total range of evaluation ratings.

(a) If the evaluation rating of the class being analyzed is rated in the bottom ~~five~~ ten percent of the total range of evaluation ratings, the lower limit of the window is the lowest point value rating assigned to any class in the jurisdiction and the upper limit of the window is the point level at least 20 percent above the lower limit.

(b) If the evaluation rating of the class being analyzed is in the top ten percent of the total range of evaluation ratings, the upper limit of the window is the highest rating assigned to any class in the jurisdiction and the lower limit of the window is 20 percent below the upper limit.

(2) The window must include at least three male-dominated job classes. When analyzing a male-dominated job class, the class being analyzed is counted as one of the three male-dominated job classes.

(3) The window must include at least two male-dominated job classes with different job evaluation ratings. When analyzing a male-dominated job class, the class being analyzed is counted as one of the two male-dominated job classes with different ratings.

(4) The window must include at least ~~one-fifth~~ 20 percent of all the male-dominated classes in the jurisdiction.

B. Expanding the window. If any of the criteria in item A, subitems (2) to (4) are not met, the window is expanded in increments of five percent of the total range of job evaluation ratings on either side both sides of the previous window, until the criteria are met except as provided in subitems (1) and (2). That is, in the first expansion the lower limit becomes the rating level 15 percent below the class being analyzed and the upper limit becomes the rating level 15 percent above the class being analyzed. The window is increased using these five percent increments as many times as necessary until the criteria in item A, subitems (2) to (4) are met.

(1) If the expansion results in a lower limit below the lowest rating assigned to any class in the jurisdiction, then the lower limit is the lowest rating assigned to any class in the jurisdiction. The upper limit is above the lower limit by the total length of the expanded window, that is, 30 percent in the first expansion, 40 percent in the second expansion, and so forth. The window is expanded until the criteria in item A, subitems (2) to (4) are met.

(2) If the expansion results in an upper limit above the highest rating assigned to any class in the jurisdiction, then the upper limit is the highest rating assigned to any class in the jurisdiction. The lower limit is below the upper limit by the total length of the expanded window, that is, 30 percent in the first expansion, 40 percent in the second expansion, and so forth. The window is expanded until the criteria in item A, subitems (2) to (4) are met.

C. Drawing a line. Using conventional statistical regression techniques, the analysis fits a linear regression line to all male-dominated classes in the window. The line is weighted to reflect the number of employees in each male-dominated class. The regression line represents the relationship between job evaluation ratings and salary, or between job evaluation ratings and salary plus benefits in the case of jurisdictions with different benefits for male-dominated and female-dominated classes of comparable work value, as explained in part 3920.0300, subpart 6. ~~The line is weighted to reflect the number of employees in each male-dominated class.~~

D. Predicting pay. The analysis predicts pay for the class being analyzed by determining the dollar value on the regression line which corresponds to the job evaluation rating of the class being analyzed.

Subp. 5. **Determining underpayment ratio.** The analysis tabulates the number of female-dominated and male-dominated classes which are paid below predicted pay for their job evaluation ratings. The analysis then calculates female-dominated classes paid below predicted pay as a percentage of all female-dominated classes in the jurisdiction, and male-dominated classes paid below predicted pay as a percentage of all male-dominated classes in the jurisdiction, as follows:

A. the number of male-dominated classes which are paid below predicted pay is divided by the total number of male-dominated classes, and the result is multiplied by 100;

B. the number of female-dominated classes which are paid below predicted pay is divided by the total number of female-dominated classes, and the result is multiplied by 100; and

C. the result from item A is divided by the result from item B, and the quotient is multiplied by 100 and rounded to one decimal place. This is the underpayment ratio.

Subp. 6. [See *State Register*, Volume 16, Number 16, pages 893-909]

Subp. 7. **Determining average pay difference.** For a jurisdiction described in subpart 6, item C, the department must determine and analyze the average pay difference. The average pay difference is the dollar amount of the average difference from predicted pay, calculated as follows:

A. The number of employees in each female-dominated class is multiplied by the dollar amount of the difference from predicted

pay for that class. Both positive amounts (above predicted pay) and negative amounts (below predicted pay) are included.

B. The sum of the amounts in item A is divided by the total number of employees in female-dominated classes and rounded to the nearest whole dollar. The result is the average difference from predicted pay for female-dominated classes.

C. The process explained in items A and B is repeated for male-dominated classes. The result is the average difference from predicted pay for male-dominated classes.

Subp. 8. [See *State Register*, Volume 16, Number 16, pages 893-909]

Subp. 9. **Significance of average pay difference (t-test)**. If the average pay difference represents a disadvantage for female-dominated classes, a standard test of statistical significance called the t-test must be applied to this finding. The department must evaluate the results as explained in items A and B.

A. The t-test of pooled variance is applied using conventional statistical techniques. Significance is determined at the five percent level for a one-tailed test. The statistical analysis rounds the value of t to three decimal places. The sample t table is taken from a standard statistical text: Blalock, *Social Statistics*, Second Edition 1972, published by McGraw-Hill, page 559. The degrees of freedom is the total number of employees in male-dominated and female-dominated classes, minus two. To be significant, the value of t for a jurisdiction must be at or above the level listed, except that for degrees of freedom not listed, the required level of t is taken from a standard normal distribution table.

Distribution of t (five percent significance)	
Degrees of Freedom	Value of t
1	6.314
2	2.920
3	2.353
4	2.132
5	2.015
6	1.943
7	1.895
8	1.860
9	1.833
10	1.812
11	1.796
12	1.782
13	1.771
14	1.761
15	1.753
16	1.746
17	1.740
18	1.734
19	1.729
20	1.725
21	1.721
22	1.717
23	1.714
24	1.711
25	1.708
26	1.706
27	1.703
28	1.701
29	1.699
30	1.697

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Distribution of t (five percent significance)	
Degrees of Freedom	Value of t
40	1.684
60	1.671
120	1.658
infinity	1.645

B. If the t-test is not significant, the department must find that the jurisdiction has passed the statistical analysis test. If the t-test is significant, the department must find that the jurisdiction has failed the statistical analysis test and is not in compliance.

3920.0600 ALTERNATIVE ANALYSIS TEST.

Subps 1. to 4. [See *State Register*, Volume 16, Number 16, pages 893-909]

Subp. 5. **Failure to meet initial review standard.** If more than 20.0 percent of female-dominated classes are underpaid according to the criteria in subpart 4, the department must determine whether the jurisdiction has salary ranges for its classes.

A. If there are ~~no salary ranges for the underpaid female-dominated class or for any of the male-dominated classes with which the female-dominated class is no salary range for one or more underpaid female-dominated classes, or if there is no salary range for one or more male-dominated classes with which the underpaid female-dominated classes are being compared,~~ the department must analyze years of service under subpart 6.

B. If there are salary ranges for the underpaid female-dominated class and for all male-dominated classes with which the female-dominated class is being compared, the department must find that the jurisdiction has failed the alternative analysis test and is not in compliance.

Subps 6. and 7. [See *State Register*, Volume 16, Number 16, pages 893-909]

3920.0700 [See *State Register*, Volume 16, Number 16, pages 893-909]

3920.0800 COMPLIANCE NOTIFICATION.

Subpart 1. [See *State Register*, Volume 16, Number 16, pages 893-909]

Subp. 2. **Jurisdictions in compliance.** If a jurisdiction is in compliance, the department must notify the jurisdiction of the date on which the next implementation report must be submitted to ensure that pay equity is maintained ~~under, as explained in~~ part 3920.1300, subpart 2.

Subps 3. and 4. [See *State Register*, Volume 16, Number 16, pages 893-909]

Subp. 5. **Next steps.** If a jurisdiction found not in compliance disagrees with the compliance decision or the date by which compliance must be achieved to avoid a penalty, the jurisdiction may request reconsideration of the decision under part 3920.0900. If a jurisdiction found not in compliance agrees with the compliance decision, it must act to come into compliance and it must submit a revised report by the date specified in the compliance notice.

After the date specified in the compliance notice, the department must examine the revised report and make a revised compliance decision by the methods explained in parts 3920.0400 to 3920.0700.

A. If the department finds the jurisdiction in compliance as of the date specified, based on the revised report, no penalty may be imposed. The department must notify the jurisdiction that it is in compliance and must specify the date on which the next report must be submitted to ensure that pay equity is maintained ~~under, as explained in~~ part 3920.1300, subpart 2.

B. If the department finds the jurisdiction not in compliance as of the date specified, based on the revised report, the department must notify the jurisdiction that the jurisdiction is not in compliance and that a penalty will be imposed under part 3920.1000. The department must provide a detailed description of the basis for the finding, specific recommend actions to achieve compliance, and an estimated cost of compliance. The jurisdiction may submit a request for suspension of penalty under part 3920.1100, a contested case appeal as explained in part 3920.1200, or both.

3920.0900 RECONSIDERATION.

Subps 1. to 5. [See *State Register*, Volume 16, Number 16, pages 893-909]

Subp. 6. **Notice requirements.** A jurisdiction requesting reconsideration must send a written notice to each exclusive representative, if any, for employees of the jurisdiction. The jurisdiction must also post the notice in a prominent location accessible to all employees, and make a copy available in the public library.

The notices must be sent and posted before the request for reconsideration is submitted to the department. Posted notices must remain posted for at least 90 days after the reconsideration request is submitted to the department.

The written and posted notices must include the following information:

A. a statement that the jurisdiction has been found not in compliance with the Local Government Pay Equity Act and that the jurisdiction is requesting a reconsideration of that decision or a longer period of time to achieve compliance;

B. a description of the grounds for the reconsideration request;

C. a statement that the department's determination and the materials submitted in support of the reconsideration request are public information available to anyone requesting the information;

D. a statement that any comments concerning the reconsideration request may be submitted to the department; and

E. the department's address and telephone number.

Subp. 7. [See *State Register*, Volume 16, Number 16, pages 893-909]

Subp. 8. **Compliance plan.** If a jurisdiction agrees that it is not in compliance, but requests reconsideration of the time allowed to achieve compliance, it must submit the following information to the department in writing:

A. a plan for achieving compliance, including the jurisdiction's proposed actions and response to the department's recommendations;

B. a proposed date for achieving compliance and for submitting a revised report for department review; and

C. a statement by the chief elected official or, if none, the chief appointed official, that the plan and proposed date have been approved by the jurisdiction's governing body.

Subp. 9. [See *State Register*, Volume 16, Number 16, pages 893-909]

Subp. 10. **Reconsideration decision and notice.** The department must notify the jurisdiction in writing of its decision after reconsideration.

A. If the department decides that the original noncompliance decision was incorrect and the jurisdiction is in compliance, the department must notify the jurisdiction of that decision. The notice must specify the date on which the next implementation report must be submitted to ensure that pay equity is maintained ~~under~~, as explained in part 3920.1300, subpart 2.

B. If the department decides that the original noncompliance decision and date for achieving compliance were correct, the department must notify the jurisdiction of that decision. The notice must include a detailed description of the basis for the finding, specific recommended actions to achieve compliance, and an estimated cost of compliance, if any of that information is revised from the department's original noncompliance notice. If the jurisdiction does not achieve compliance and submit a revised report by the date specified in the department's original compliance notice, a penalty will be imposed under part 3920.1000.

C. If the department decides that the original noncompliance decision was correct but that more time will be provided to achieve compliance, the department must notify the jurisdiction of that decision. The notice must specify the revised date by which compliance must be achieved to avoid a penalty ~~under~~, as explained in part 3920.0800, subpart 3. In addition, the notice must include a detailed description of the basis for the finding, specific recommended actions to achieve compliance, and an estimated cost of compliance, if any of that information is revised from the department's original noncompliance notice.

Subp. 11. **Next steps.** If a reconsideration results in a time extension for achieving compliance, the jurisdiction must submit a revised report by the date established by the department. The department must examine the revised report by the methods in parts 3920.0400 to 3920.0700, and make a revised compliance decision.

A. If a reexamined jurisdiction is found in compliance, the department must notify the jurisdiction of the date on which the next implementation report must be submitted to ensure that pay equity is maintained ~~under~~, as explained in part 3920.1300, subpart 2.

B. If a reexamined jurisdiction is again found not in compliance, the department must notify the jurisdiction that a penalty will be imposed ~~under~~, as explained in part 3920.0800, subpart 5, item B.

3920.1000 [See *State Register*, Volume 16, Number 16, Pages 893-909]

3920.1100 REQUEST FOR SUSPENSION OF PENALTY.

Subpart 1. [See *State Register*, Volume 16, Number 16, pages 893-909]

Subp. 2. **Evidence for request.** The department may suspend the penalty for a specified time if a jurisdiction provides written evidence to the department demonstrating that:

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A. the failure to implement equitable compensation relationships was attributable to circumstances beyond its control or to severe hardship; or that

B. noncompliance results from ~~facts~~ factors unrelated to the sex of the members dominating the affected classes and that the subdivision is taking substantial steps to achieve compliance to the extent possible.

Subps 3. to 5. [See *State Register*, Volume 16, Number 16, pages 893-909]

Subp. 6. **Notice requirements.** A jurisdiction submitting a request for suspension of penalty must send a written notice to each exclusive representative, if any, for employees of the jurisdiction. The jurisdiction must also post the notice in a prominent location accessible to all employees, and make a copy available in the public library.

The notices must be sent and posted before the request for suspension of penalty is submitted to the department. Posted notices must remain posted for at least 90 days after the request for suspension of penalty is submitted to the department.

The written and posted notices must include the following information:

A. a statement that the jurisdiction is subject to a penalty for noncompliance with the Local Government Pay Equity Act and that the jurisdiction is submitting a request for suspension of penalty;

B. a description of the grounds for the request;

C. a statement that the department's determination and the materials submitted in support of the request for suspension of penalty are public information available to anyone requesting the information;

D. a statement that any comments concerning the request for suspension of penalty may be submitted to the department; and

E. the department's address and telephone number.

Subps 7. and 8. [See *State Register*, Volume 16, Number 16, pages 893-909]

3920.1200 [See *State Register*, Volume 16, Number 16, pages 893-909]

3920.1300 MAINTAINING PAY EQUITY.

Subpart 1. [See *State Register*, Volume 16, Number 16, pages 893-909]

Subp. 2. **Future reports.** The department must establish a schedule for future reporting, providing that approximately one-third of all jurisdictions must report each year beginning in 1994.

A. The department must give a jurisdiction at least one year's notice of the date when its next scheduled report will be due.

B. The department must require, and a jurisdiction must submit, the same information required in the original implementation report, except that the information must be revised to be current as of the date 30 days before the new report. In addition, a jurisdiction must:

(1) submit information on ~~jump sum payments and bonus payments made~~ additional cash compensation paid at any time in the 12 months before the new report; and

(2) verify that the jurisdiction has notified the department if the jurisdiction has adopted a new job evaluation system, or substantially modified an existing system, at any time after December 31, 1991.

Subp. 3. [See *State Register*, Volume 16, Number 16, pages 893-909]

Subp. 4. **Future reconsideration and appeal.** A jurisdiction which was found in compliance at one time, but which is found not in compliance at a future date, may initiate the reconsideration request under part 3920.0900. If a jurisdiction is subject to a penalty after reexamination, the jurisdiction may initiate the request for suspension of penalty under part 3920.1100, and the contested case appeal described in part 3920.1200. The department must consider the evidence and make decisions as provided in parts 3920.0900, 3920.1100 and 3920.1200.

Subps 5. to 7. [See *State Register*, Volume 16, Number 16, pages 893-909]

Department of Labor and Industry

Occupational Safety and Health Division

Proposed Revisions to the Occupational Safety and Health Standards and Request for Comments

NOTICE IS HEREBY GIVEN that the Department of Labor and Industry, Occupational Safety and Health Division (Minnesota OSHA) proposes to adopt the following revisions to the Department of Labor and Industry, Occupational Safety and Health Rules, as authorized under *Minnesota Statutes* 182.655 (1990). This notice proposes the adoption by reference of Occupational Safety and

Health Standards that have already been proposed and adopted by the Federal Occupational Safety and Health Administration (Federal OSHA).

A complete copy of the federal standards proposed for adoption is available by writing: Occupational Safety and Health Division, Department of Labor and Industry, 443 Lafayette Road, St. Paul, Minnesota 55155-4307; or by calling (612) 297-3254.

Interested persons are hereby afforded a period of 30 days to submit written data or comments on the described standards. Any interested person may file with the Commissioner written objections to the proposed standard stating the grounds for those objections. Such person may request a public hearing on those objections. Written comments or requests for hearing should be sent to the above address and must include the name and address of the person submitting the comment or request, define the reasons for the comment or request, and discuss any proposed changes.

John B. Lennes, Commissioner

Standards as Proposed

5205.0010 ADOPTION OF FEDERAL OCCUPATIONAL SAFETY AND HEALTH STANDARDS BY REFERENCE.

[For text of subpart 1, see M.R.]

Subp. 2. **Part 1910.** Part 1910: Occupational Safety and Health Standards as published in Volume 43, No. 206 of the *Federal Register* on October 24, 1978 and corrected in Volume 43, No. 216, November 7, 1979 which incorporates changes, additions, deletions, and corrections made up to November 7, 1978; and subsequent changes prior to ~~December 4, 1994~~ May 5, 1992:

[For text of items A. to N., see M.R.]

O. *Federal Register*, Vol. 57:

(1) *Federal Register*, Vol. 57, No. 15, dated January 23, 1992: "Occupational Exposure to Formaldehyde; Extension of Administrative Stay."

(2) *Federal Register*, Vol. 57, No. 36, dated February 24, 1992: "Process Safety Management of Highly Hazardous Chemicals; Explosives and Blasting Agents; Final Rule."

(3) *Federal Register*, Vol. 57, No. 43, dated March 4, 1992: "Process Safety Management of Highly Hazardous Chemicals; Explosives and Blasting Agents; Corrections to Final Rule."

(4) *Federal Register*, Vol. 57, No. 44, dated March 5, 1992: "Occupational Exposure to Asbestos, Tremolite, Anthophyllite and Actinolite; Extension of Partial Stay and Amendment of Final Rule."

(5) *Federal Register*, Vol. 57, No. 71, dated April 13, 1992: "Occupational Exposure to Bloodborne Pathogens; Approval of Information Collection Requirements."

(6) *Federal Register*, Vol. 57, No. 87, dated May 5, 1992: "Occupational Exposure to Formaldehyde; Extension of Administrative Stay."

[For text of subps. 3 to 5, see M.R.]

Subp. 6. **Part 1926.** Part 1926: Construction Safety and Health Regulations as published in Part VII, Volume 44, No. 29 of the *Federal Register* on February 9, 1979, which incorporates changes, additions, deletions, and corrections made up to October 17, 1978, and includes General Industry Occupational Safety and Health Standards (29 CFR Part 1910) which have been identified as applicable to construction work; and subsequent changes made prior to ~~December 4, 1994~~ May 5, 1992:

[For text of items A. to G., see M.R.]

H. *Federal Register*, Vol. 57:

(1) *Federal Register*, Vol. 57, No. 44, dated March 5, 1992: "Occupational Exposure to Asbestos, Tremolite, Anthophyllite and Actinolite; Extension of Partial Stay and Amendment of Final Rule."

Summary of Standards: The following is a brief summary of the proposed changes. Persons interested in reviewing the complete *Federal Register* notice for each amendment may obtain copies of the notices from the above address.

A) "Occupational Exposure to Formaldehyde; Extension of Administrative Stay." Federal OSHA adopted the final rule on Occupational Exposure to Formaldehyde on December 4, 1987. Because confusion existed about the hazard warning provisions of this new standard, Federal OSHA announced an administrative stay of paragraphs (m)(1)(i) through (m)(4)(ii) on December 13, 1988. The

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stay was to remain in effect for nine months while OSHA reviewed comments concerning the proposal to revoke these paragraphs and replace them with the Hazard Communication Standard (29 CFR 1910.1200) or another equally protective alternative. The stay was subsequently extended several times.

On July 14, 1991, Federal OSHA published a proposal to resolve several remaining issues on formaldehyde, including those raised by the stayed paragraphs. The public was given until August 14, 1991 to submit comments. Consequently the stay was extended for an additional 90 days on August 8, 1991, remaining in effect until November 8, 1991. On November 13, 1991, the stay was extended to February 4, 1992. On January 23, 1992, it was extended again until May 5, 1992. On May 5, 1992, another extension was published in the *Federal Register* moving the effective day of the administrative stay to June 5, 1992.

Minnesota OSHA adopted the Occupational Exposure to Formaldehyde Standard on May 30, 1988, and has subsequently adopted all administrative stays of paragraphs (m)(1)(i) through (m)(4)(ii). By this notice, Minnesota OSHA proposes to continue the administrative stay to coincide with the latest Federal OSHA extension.

B) "Process Safety Management of Highly Hazardous Chemicals; Explosives and Blasting Agents; Final Rule." On February 24, 1992, Federal OSHA published a final rule containing requirements for the management of hazards associated with processes using highly hazardous chemicals. It establishes procedures for process safety management that will protect employees by preventing or minimizing the consequences of chemical accidents involving highly hazardous chemicals. Employees have been and continue to be exposed to the hazards of toxicity, fires, and explosions from catastrophic releases of highly hazardous chemicals in their workplaces. The requirements in this standard are intended to eliminate or mitigate the consequences of such releases. This new rule is also being referenced in OSHA's Explosives and Blasting Agents standard, 1910.109.

The process safety management rule, which is effective May 26, 1992 at the federal level, identifies more than 130 specific toxic and reactive chemicals covered in specified quantities and stipulates inclusion of flammable liquids and gases in quantities of 10,000 pounds or more. The standard includes a non-mandatory appendix which provides detailed guidance to help small business owners and others comply with the standard.

The centerpiece of the new rule is process hazard analysis—which includes systematic review of what could go wrong and what safeguards must be implemented to prevent release of hazardous chemicals. Covered employers must determine the appropriate order in which to evaluate their processes. At least one-quarter must be completed two years after the effective date of the standard with at least an additional 25 percent completed each succeeding year so that five years after the effective date employers will have evaluated every affected process and implemented appropriate safety recommendations.

The standard clarifies responsibilities of employers and contractors involved in work that affects covered processes to ensure that the safety of both plant and contractor employees is considered. The standard also mandates employee participation in the process safety management programs; written operating procedures; employee training; pre-startup safety reviews; maintenance of the mechanical integrity of critical equipment; and written procedures for managing change. Other requirements include: a permit system for hot work; investigation of incidents involving release or near misses of covered chemicals; emergency action plans; compliance audits at least every three years; and trade secret protection.

The standard impacts primarily manufacturing industries, particularly chemicals, transportation equipment and fabricated metal products. Other affected sectors include natural gas liquids; farm product warehousing; electric, gas and sanitary services; and wholesale trade.

Typographical and other minor errors in the final rule published on February 24, 1992, were corrected in a *Federal Register* notice published on March 4, 1992.

By this notice, Minnesota OSHA proposes to adopt the "Process Safety Management of Highly Hazardous Chemicals" (1910.119) and the amendment to "Explosives and Blasting Agents" (1910.109) as published in the *Federal Register* on February 24, 1992, and corrected in the *Federal Register* on March 4, 1992. The effective date of this final rule in Minnesota will be five days after publication of the adoption notice in the *State Register*. The process hazard analysis completion dates noted in the final rule will remain the same in Minnesota.

C) "Occupational Exposure to Asbestos, Tremolite, Anthophyllite and Actinolite; Extension of Partial Stay and Amendment of Final Rule." Federal OSHA established a partial administrative stay of the Occupational Exposure to Asbestos, Tremolite, Anthophyllite and Actinolite Standard for general industry and construction insofar as they apply to non-asbestiform tremolite, anthophyllite, and actinolite. The stay was scheduled to expire on August 31, 1991. On September 4, 1991, Federal OSHA extended the stay until February 28, 1992 to allow time to complete supplemental rulemaking limited to the issue of whether non-asbestiform tremolite, anthophyllite, and actinolite should continue to be regulated in the same standard as asbestos or should be treated in some other way. Minor conforming amendments were also made to "notes" in 1910.1001 and 1926.58. On March 5, 1992, the stay was extended to May 30, 1992.

Minnesota OSHA adopted the Occupational Exposure to Asbestos, Tremolite, Anthophyllite, and Actinolite Standards (1910.1001 and 1926.58) on November 10, 1986. The partial administrative stay was initially adopted on March 30, 1987; all subsequent extensions have also been adopted.

By this notice, Minnesota OSHA proposes to extend the partial administrative stay to May 30, 1992 to coincide with the Federal OSHA extension published on March 5, 1992.

D) "Occupational Exposure to Bloodborne Pathogens; Approval of Information Collection Requirements." On December 6, 1991, Federal OSHA published a final standard governing occupational exposure to bloodborne pathogens. The standard is designed to eliminate or minimize occupational exposure to hepatitis B virus (HBV), human immunodeficiency virus (HIV), and other bloodborne pathogens. At that time, Federal OSHA submitted the information collection requirements to the Office of Management and Budget (OMB) for review under the Paperwork Reduction Act of 1980. OMB reviewed the collection of information requirements and approved all information requirements effective March 6, 1992.

Minnesota OSHA proposed adoption of the Occupational Exposure to Bloodborne Pathogens Standard (1910.1030) on December 30, 1991. Requests for public hearing that were received following that notice have been withdrawn; the adoption notice for the final standard is published in a separate notice in this issue. By this notice, Minnesota OSHA proposes to adopt the information collection requirements as approved by OMB and published in the April 13, 1992, *Federal Register*.

Secretary of State

Proposed Permanent Rules Relating to Election Changes

Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Secretary of State intends to adopt the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes*, sections 14.22 to 14.28. The statutory authority to adopt the rules are *Minnesota Statutes* 203B.08 subdivision 4, 203B.09, 203B.125, 204B.14 subdivision 6, and 204B.45 subdivision 3.

All persons have until 4:30 p.m. on July 1, 1992 to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the Secretary of State will proceed pursuant to *Minnesota Statutes*, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to:

Joseph Mansky
Director, Election Division
180 State Office Building
St. Paul, MN 55155
(612) 296-6011

The proposed rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rule as noticed.

A copy of the proposed rule is attached to this notice.

A STATEMENT OF NEED AND REASONABLENESS that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from the Secretary of State upon request.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General for review as to the legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this matter to the Attorney General, or

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who wish to receive a copy of the adopted rule, must submit the written request to the Secretary of State.

Dated: 15 May 1992

Elaine Voss
Deputy Secretary of State

Rules as Proposed

8210.0300 BALLOT ENVELOPE.

The ballot envelope shall be printed in the following manner.

The envelope shall be ~~buff tan~~ in color with black ink. The envelope shall be of a size to fit inside the absentee ballot return envelope. The words "Ballot Envelope" shall be printed on the front of the envelope.

8210.0500 INSTRUCTIONS TO ABSENT VOTER.

Instructions to absent voter shall be enclosed with the absentee ballot materials mailed or delivered to the absent voter. The instructions shall be in the form in ~~part~~ parts 8210.9920 and 8210.9925.

8210.0600 ~~ABSENT VOTER'S CERTIFICATE STATEMENT OF ABSENTEE VOTER.~~

Subpart 1. **Form.** Except as provided in subpart 4, the ~~absent voter's certificate statement of absentee voter~~ for persons voting under *Minnesota Statutes*, sections 203B.04 to 203B.15 must be printed in the form shown in part 8210.9930.

Subp. 2. **First two lines.** The county auditor or municipal clerk may complete the first two lines of ~~an absent voter's certificate a statement of absentee voter~~ before mailing it to the absent voter by printing the name and address of the absent voter or by attaching a mailing label.

Subp. 3. **Printing specifications.** The ~~certificate statement~~ shall be printed on the right-hand three-fourths of the back of the absentee ballot return envelope. The words "~~ABSENT VOTER'S CERTIFICATE STATEMENT OF ABSENTEE VOTER~~" shall be printed in no smaller than 12-point bold type in capital letters. The remainder of the ~~certificate statement~~ shall be printed in no smaller than 11-point medium type.

Subp. 4. **Alternative ~~certificate statement.~~** As an alternative, a county auditor may print two different versions of the ~~absent voter's certificate statement.~~ One ~~certificate version~~ must be provided to absentee voters not previously registered to vote and must be printed as prescribed in subpart 1. An alternate ~~certificate version~~ may be printed in the form shown in part 8210.9935 and must be provided only to absentee voters who are registered to vote at the time of application. The ~~certificate statement~~ must be printed to the specifications of subpart 3.

8210.0700 ABSENTEE BALLOT RETURN ENVELOPE AS PROVIDED BY MINNESOTA STATUTES, SECTIONS 203B.04 TO 203B.15.

[For text of subpart 1, see M.R.]

Subp. 2. **Printing specifications.** The absentee ballot return envelope must be printed according to the following specifications:

[For text of items A and B, see M.R.]

C. The words and numbers printed on the left-hand end of the envelope must be in no smaller than 12-point bold type.

D. The words "ABSENTEE BALLOT RETURN ENVELOPE" printed across the face of the envelope must be in no smaller than 18-point bold type in capital letters.

[For text of items E and F, see M.R.]

[For text of subps 3 to 8, see M.R.]

..c

MAIL BALLOTS

8210.3000 MAIL BALLOTING.

Subpart 1. **Scope.** This part applies to mail balloting conducted under *Minnesota Statutes*, ~~section~~ sections 204B.45 and 204B.46. Except as otherwise provided in this part, parts 8210.0200 to 8210.2500 also apply to mail balloting. In unorganized territory, the county auditor shall perform the duties specified for the municipal clerk.

Subp. 2. **Authorization.** The municipal governing body, school board, or county board ~~for unorganized territory shall may~~ authorize mail balloting by resolution adopted no later than ~~90~~ 60 days prior to the first election at which mail balloting will be used. If mail balloting is adopted pursuant to Minnesota Statutes, section 204B.45, the resolution remains in effect for all subsequent state and county elections until revoked. Revocation of the resolution may occur no later than ~~90~~ 45 days before the next affected election. ~~Except as approved by the secretary of state under Minnesota Statutes, section 204B.50, mail balloting may not be used for a municipal or school district~~ Authorization to conduct a special election not held on the same day as a state or county pursuant to Minnesota

Statutes, section 204B.46, expires after completion of the election.

Subp. 3. **Notice.** The municipal clerk or school district clerk shall notify the county auditor and the secretary of state of the adoption or discontinuance of mail balloting no later than two weeks after adoption or revocation of the resolution. The county auditor shall send a similar notice to the secretary of state for elections authorized pursuant to Minnesota Statutes, section 204B.45. The county auditor, municipal clerk, or school district clerk shall post notice of mail ballot procedures at least six weeks before each election. Notice of mail ballot procedures must include:

- A. the name or description of the municipality or unorganized territory;
- B. the date of the election and the dates that ballots will be mailed;
- C. a statement that each voter registered by the 21st day before the election will be mailed a ballot;
- D. the times, places, and manner in which voted ballots can be returned;
- E. an explanation of how an eligible voter who is not registered may apply for a ballot and how a registered voter who will be absent from the precinct may apply to receive the ballot at a temporary address;
- F. the place and time for counting of ballots; and
- G. the name and address or telephone number of the official or office where additional information can be obtained.

Before the first election at which mail balloting will be used or discontinued, notice must also be given by one or more of the following means: publication in a newspaper of general circulation, posting of notice at public locations within each precinct, dissemination of information through the media or at public meetings, or mailed notice to registered voters.

Subp. 4. **Mailing ballots.** ~~No earlier than 20 days or later than 18 days before the election~~ The county auditor, municipal clerk, or school district clerk shall mail ballots to the voters registered in the municipality or unorganized territory. A ballot mailing must be sent to each voter whose name is included in the registration file on the 21st day before the election, except that no ballot may be mailed to a challenged voter.

Ballots must be sent by nonforwardable mail. Ballots for eligible voters who reside in health care facilities may be delivered as provided in *Minnesota Statutes*, section ~~203B.17~~ 203B.11. The ballot mailing must be addressed to the voter at the voter's residence address as shown on the registration file unless the voter requests, in writing, that the ballot be mailed to the voter at a different address.

A return envelope, a ballot secrecy envelope, and instructions for marking and returning mail ballots must be included with the ballots. At the request of the secretary of state, a survey card that the voter can return to the secretary of state must also be included. The ballot return envelope must be printed with the mail voter's certificate. The ballot return envelope must be addressed for return to the county auditor as specified in part 8210.0700, subpart 4. First class postage must be affixed to the return envelope.

[For text of subps 5 to 11, see M.R.]

Subp. 12. **Costs.** The ~~municipality governing body authorizing mail balloting~~ shall pay the costs of the mailing. Costs of mailing include postage costs and the costs of printing required envelopes, instructions, affidavits, and mailing labels. Other expenses must be paid as provided in *Minnesota Statutes*, section 204B.32.

8210.3010 INSTRUCTIONS TO MAIL VOTERS, REQUIRED IN PART 8210.3000, SUBPART 4.

INSTRUCTIONS TO MAIL BALLOT VOTERS

Follow these instructions carefully ~~so your ballot can be counted. AN IMPROPERLY COMPLETED VOTER'S CERTIFICATE COULD INVALIDATE YOUR BALLOT.~~ Before you vote you must have a witness.

Step 1. Locate ~~any eligible voter~~ one of the county or other qualified person following people to serve as your witness - ~~Any one of the following people can be your witness:~~

- a. ~~any an~~ eligible voter ~~of the~~ who lives in your county ~~where you reside;~~
- b. a notary public; or
- c. a United States postmaster, assistant postmaster, postal supervisor, ~~or clerk of a postal contract station; or~~
- ~~d. any officer~~ person having authority to administer an oath, such as a judge.

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Proposed Rules

Step 2. Show your witness the unmarked ~~ballot~~ ballots.

Step 3. ~~In the presence of your witness~~ Mark the ballots in such a manner that your vote is not visible to your witness secretly. If you are physically disabled or otherwise unable to mark your ballot or cannot read English the ballots, you may ask your witness to assist you ~~or mark your ballot for you~~. If you mark your ballot incorrectly and want to receive a new ballot, contact your county auditor.

Step 4. Fold the each ballot so that your marks votes cannot be seen without unfolding the ballot. Do not put YOUR NAME, INITIALS, OR any OTHER identifying MARK marks on the BALLOTS ballot.

Step 5. ~~Enclose the~~ Place all voted ballots in the buff tan colored Ballot Secrecy Envelope and seal the envelope. Do not write on this envelope.

Step 6. ~~Print your name and address and sign your name on the Mail Voter's Certificate on the back of the white Ballot Return Envelope. Your witness must complete the rest of the certificate with the date, the witness's name, signature, and address if the witness is an eligible voter or title if the witness is an official.~~

~~Step 7. Insert~~ Place the buff tan colored Ballot Secrecy Envelope into the white Ballot Return Envelope, and seal the white Ballot Return envelope. An unsealed envelope will not be accepted.

Step 7. Print your name and address and sign your name on the back of the white Ballot Return Envelope. The name, address, and signature of your witness is required as well.

Step 8. ~~You may deposit~~ The Ballot Return Envelope in the mail may be mailed or deliver it delivered in person to the county auditor's office.

You may mark and return your ballot at any time before election day. Be sure to mail back the ballot in time to be delivered by election day or return the ballot in person to the auditor's office no later than 8:00 p.m. on election day.

8210.9920 INSTRUCTIONS TO ABSENT VOTER ABSENTEE VOTERS, SPECIFIED BY PART 8210.0500.

INSTRUCTIONS TO ABSENT VOTER ABSENTEE VOTERS

~~Follow these instructions carefully. AN IMPROPERLY COMPLETED BALLOT OR ABSENT VOTER'S CERTIFICATE WILL INVALIDATE YOUR BALLOT.~~

(1) Locate any one of the following people to serve as your witness:

- a. an eligible voter of the same county in which you are registered or registering to vote;
- b. a notary public;
- c. a United States postmaster, assistant postmaster, postal supervisor or clerk of a postal contract station;
- d. any officer having authority to administer an oath.

(2) If no voter registration card is enclosed with your ballot, you are properly registered and may proceed to (4).

(3) If a registration card is enclosed with your ballot, you are not registered and must complete the registration card in order to have your ballot counted. After completing the voter registration card you must furnish proof of residence to your witness by one of the following means:

- a. valid Minnesota Driver's License or Learner's Permit or a receipt for either that contains your valid address in the precinct in which you are registering;
- b. valid Minnesota Identification Card issued by the Minnesota Department of Public Safety or a receipt thereof that contains your valid address in the precinct in which you are registering;
- c. a current student identification card, a current student fee statement, or copy of a current student registration card that contains your valid address in the precinct in which you are registering;
- d. valid registration in the same precinct under a different address;
- e. "ineffective registration notice" mailed by the county auditor or municipal clerk;
- f. a person who is registered to vote in the precinct and knows you are a resident of the precinct swearing to your residence.

Show these instructions to your witness. Your witness must indicate in the proper box on the Absent Voter's Certificate on the white Absentee Ballot Return Envelope which method of proving residence you used. **INSERT THE COMPLETED VOTER REGISTRATION CARD IN THE WHITE ABSENTEE BALLOT RETURN ENVELOPE. DO NOT PUT THE VOTER REGISTRATION CARD IN THE BUFF-COLORED BALLOT ENVELOPE.**

(4) Exhibit the unmarked ballots to your witness.

(5) In the presence of your witness mark the ballots in such a manner that your vote is not visible to your witness. If you are physically unable to mark your ballot or cannot read English, you may ask your witness to mark your ballot for you.

(6) Fold each ballot separately so that your cross marks cannot be seen without unfolding the ballot and so that the blank lines for the election judges' initials on the back of the ballot can be seen without unfolding the ballot. **DO NOT PUT YOUR NAME, INITIALS, OR ANY OTHER IDENTIFYING MARK ON THE BALLOTS.**

(7) Enclose all the ballots in the buff-colored Ballot Envelope and seal the envelope. Do not write on the Ballot Envelope.

(8) Print your name and address and sign your name on the Absent Voter's Certificate on the back of the white Absentee Ballot Return Envelope. Your witness must complete the rest of the certificate with the date, the witness's printed or typed name, signature, and title if the witness is an official or address if the witness is an eligible voter.

(9) Insert the buff-colored Ballot Envelope in the white Absentee Ballot Return Envelope. If you received a voter registration card, be sure it is completed and enclosed in the white Absentee Ballot Return Envelope. Seal the white Absentee Ballot Return Envelope. An unsealed envelope will not be accepted.

(10) You may deposit the Absentee Ballot Return Envelope in the mail or hand deliver it to the county auditor or municipal clerk from whom you received it.

(11) You may designate an agent to mail the Absentee Ballot Return Envelope or to deliver it in person to the county auditor or municipal clerk from whom you received it. An agent must be at least 18 years old. No individual may serve as the agent for more than three voters in one election. Be sure to **SEAL** your Absentee Ballot Return Envelope before giving it to your agent.

(12) You may mark and mail or deliver your ballots at any time after you receive them. However, if mailing your ballots, allow sufficient time so that they can be delivered by the United States postal service on election day. If you or your agent deliver in person your Absentee Ballot Return Envelope, the auditor or clerk must receive it before 4:30 p.m. on the day before election day.

Follow these instructions carefully.

Before you vote by absentee ballot you must have a witness.

Step 1. Locate one of the following people to serve as your witness:

- a. an eligible voter who lives in your county;
- b. a notary public; or
- c. any person having authority to administer oaths.

Step 2. Fill out the voter registration card. You must provide all the information marked in red. Remember to sign your name at the bottom of the card.

Step 3. Show your witness your proof of residence in the precinct. One of the following documents may be used as proof of residence:

- a. a valid Minnesota driver's license, permit, or identification card, or a receipt for any of these forms, that contains your current address; or
- b. the signature of a registered voter who lives in your precinct; if your witness is registered to vote in your precinct, your witness may also vouch for you; or
- c. a student identification card, registration card, or fee statement that contains the student's current address in the precinct; or
- d. a current valid registration in the same precinct.

Step 4. Show your witness the unmarked ballots.

Step 5. Mark the ballots in secrecy. If you are disabled or otherwise unable to mark the ballots, you may ask your witness to assist you.

Step 6. Fold each ballot so that your votes cannot be seen. Do not put any identifying marks on the ballot.

Step 7. Place all voted ballots in the tan ballot envelope and seal the envelope. Do not write on the ballot envelope.

Step 8. Place the tan secrecy envelope and your completed voter registration card into the white ballot return envelope and seal the envelope. An unsealed envelope will not be accepted.

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Proposed Rules

Step 9. Print your name and address and sign your name on the back of the white ballot return envelope. The name, address, and signature of your witness is required as well.

Step 10. Your ballot may be returned in one of the following ways:

a. by mail;

b. in person to your county auditor or municipal clerk at the address on the front of the white ballot return envelope; or

c. by agent delivery to your county auditor or municipal clerk.

You may mark and return your ballots at any time after you receive them.

If your ballots are mailed, enough time should be allowed to permit the ballots to be delivered by the postal service no later than election day.

If you or your agent return your ballots in person, your county auditor or municipal clerk must receive them no later than 7:00 p.m. on the day before the election.

Note: Follow these instructions carefully. An improperly completed ballot, or statement of voter or witness, will invalidate your votes.

8210.9925 INSTRUCTIONS TO ~~ABSENT~~ ABSENTEE VOTERS WHO ARE REGISTERED TO VOTE, SPECIFIED BY PART 8210.0500.

INSTRUCTIONS TO ABSENTEE VOTERS

Follow these instructions carefully.

Before you vote by absentee ballot you must have a witness.

Step 1. Locate one of the following people to serve as your witness:

a. an eligible voter who lives in your county;

b. a notary public; or

c. any person having authority to administer oaths.

Step 2. Show your witness the unmarked ballots.

Step 3. Mark the ballots in secrecy. If you are disabled or otherwise unable to mark the ballots, you may ask your witness to assist you.

Step 4. Fold each ballot so that your votes cannot be seen. Do not put any identifying marks on the ballot.

Step 5. Place all voted ballots in the tan ballot secrecy envelope and seal the envelope. Do not write on the ballot envelope.

Step 6. Place the tan ballot secrecy envelope into the white ballot return envelope and seal the envelope. An unsealed envelope will not be accepted.

Step 7. Print your name and address and sign your name on the back of the white ballot return envelope. The name, address, and signature of your witness is required as well.

Step 8. Your ballot may be returned in one of the following ways:

a. by mail;

b. in person to your county auditor or municipal clerk at the address on the front of the white ballot return envelope; or

c. by agent delivery to your county auditor or municipal clerk.

You may mark and return your ballots at any time after you receive them.

If your ballots are mailed, enough time should be allowed to permit the ballots to be delivered by the postal service no later than election day.

If you or your agent return your ballots in person, your county auditor or municipal clerk must receive them no later than 7:00 p.m. on the day before the election.

Note: Follow these instructions carefully. An improperly completed ballot, or statement of voter or witness, will invalidate your votes. If you have any questions, call your county auditor.

8210.9930 ~~ABSENT VOTER'S CERTIFICATE~~ STATEMENT OF ABSENTEE VOTER, SPECIFIED BY PART 8210.0600, SUBPART 1.

ABSENT VOTER'S CERTIFICATE

STATEMENT OF ABSENTEE VOTER

(legal print voter's name of absent voter)
(print or type)

(legal print voter's address of absent voter)
(print or type)

I swear certify that on election day I will meet the eligibility requirements to vote provided by law to vote by absentee ballot.

(legal signature of voter)

STATEMENT OF WITNESS

I ~~hereby~~ certify that the above named voter ~~exhibited~~ showed the enclosed ballots to me unmarked; that in my presence ~~and in a manner that I could not see~~, the voter marked the ballots in secrecy, or if the voter was physically unable to mark the ballots they were marked by another individual under the personal direction of the voter, and enclosed and sealed them in the ballot envelope; that if the above-named voter registered to vote by enclosing a voter registration card in the Absentee Ballot Return Envelope, then proof of residence was provided as indicated below.

(date)

(legal signature of witness)

(print or type witness' name of witness)

(print witness' address)

(official title if witness is not an official eligible voter in the county)

(legal address if witness is an eligible voter)

FOR REGISTRATION ONLY - Indicate method used by voter to prove Proof of residence used by absentee voter for voter registration (check one).

Method used by voter to prove residence:

Driver's License, _____
or Permit or (number)
Receipt
Minn. ID Card or _____
Receipt (Number)
Registration in the same precinct _____

Notice of Ineffective Registration received from county auditor or municipal clerk _____
Student ID _____
(Number)

(legal signature of registered voter in the precinct who attested to residence of the absentee voter in the precinct)

(print name of registered voter who attested to residence of absentee voter in the precinct)

(legal print address of registered voter in the precinct who attested to residence of the absentee voter in the precinct)

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Proposed Rules

8210.9935 ALTERNATIVE ~~ABSENT VOTER'S CERTIFICATE STATEMENT OF ABSENTEE VOTER~~, SPECIFIED BY PART 8210.0600, SUBPART 4.

STATEMENT OF ABSENTEE VOTER'S CERTIFICATE VOTER
OF

(print or type legal voter's name of voter)

(print or type legal voter's address of voter)

I swear certify that on election day I will meet the eligibility requirements to vote provided by law to ~~vote~~ by absentee ballot.

(legal signature of voter)

I hereby certify that the above named voter exhibited the enclosed ballots to me unmarked; that in my presence and in a manner that I could not see, the voter marked the ballots in secrecy and enclosed and sealed them in the ballot envelope.

(date)

(legal signature of witness)

(print or type witness' name of witness)

(official title if witness is not an official eligible voter in the county)

(legal print witness' address if witness is an eligible voter.)

8255.0020 ESTABLISHMENT OF PRECINCT BOUNDARIES LACKING RECOGNIZABLE PHYSICAL FEATURES.

If recognizable physical features are unavailable for use as precinct boundaries, or if establishment of a precinct boundary along a school district boundary which does not follow a recognizable physical feature is desired, the county or municipal governing body may establish precinct boundaries lacking a recognizable physical feature. A precinct boundary lacking a recognizable physical feature must be established as provided in this part.

Two precincts may be formed which share a boundary that is not located on a recognizable physical feature. However, the boundary of the two precincts combined must be entirely located on recognizable physical features or jurisdictional boundaries.

The governing body of a municipality, or of a county for precincts in unorganized territory, may use, in whole or in part, the jurisdictional boundary of the municipality, unorganized territory, or county as a precinct boundary.

If two precincts are divided by a boundary not located on a recognizable physical feature as provided in this part, the two precincts must be named to reflect a relationship for the purpose of reporting election results, for example: "precinct 1A and precinct 1B." Two precincts that are divided by a congressional district boundary may be named in the same manner and may use a single polling place as provided in Minnesota Statutes, section 204B.16, subdivision 2.

Adopted Rules

The adoption of a rule becomes effective after the requirements of Minn. Stat. §14.14-14.28 have been met and five working days after the rule is published in *State Register*, unless a later date is required by statutes or specified in the rule.

If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed.

If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

An emergency rule becomes effective five working days after the approval of the Attorney General as specified in Minn. Stat. §14.33 and upon the approval of the Revisor of Statutes as specified in §14.36. Notice of approval by the Attorney General will be published as soon as practicable, and the adopted emergency rule will be published in the manner provided for adopted rules under §14.18.

Department of Labor and Industry

Adopted Permanent Rules Relating to OSHA

NOTE: On December 30, 1991, the Department of Labor and Industry, Occupational Safety and Health Division (hereinafter: Minnesota OSHA) proposed the adoption of the Federal OSHA Standard governing Occupational Exposure to Bloodborne Pathogens (29 CFR 1910.1030). At the close of the 30-day comment period, 48 requests for a public hearing had been received. Major objections focused on two issues: 1) the apparent conflict between the definitions of "regulated waste" in 1910.1030 and "infectious waste" in the Minnesota Infectious Waste Control Act (*Minnesota Statutes* 116.75 to 116.83), and 2) the application of the standard to independent plumbing and electrical contractors.

On April 3, 1992, representatives of Minnesota OSHA met with representatives of the Minnesota Medical Association and Minnesota Hospital Association to discuss the issue of "regulated waste" and "infectious waste." The major concern is that the "regulated waste" definition in 1910.1030 significantly expands the definition of what constitutes "infectious waste" under the Minnesota Infectious Waste Control Act including the assumption that the "saturated and dripping" criteria may no longer be valid. Infectious waste under the Act includes "waste human blood and blood products in containers, or solid waste saturated and dripping human blood or blood products" and regulated body fluids "that are in containers or that drip freely from body fluid soaked solid waste items." The Bloodborne Pathogens Standard defines regulated waste as "liquid or semi-liquid blood or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid or semi-liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; contaminated sharps; and pathological and microbiological wastes containing blood or other potentially infectious materials."

Under the statute, generators of waste have been treating materials that are "saturated and dripping" with blood or regulated body fluids as "infectious waste." Because the definition of "regulated waste" under 1910.1030 includes those items that are "caked with dried blood or other potentially infectious materials..." commenters felt that even a small bandage with a spot of blood on it would be considered "infectious waste" and therefore require special disposal of such items as infectious waste. A careful review of the background information and public hearing testimony included in the preamble to the standard, indicates that this interpretation is not the intent of the standard. In referring to items "caked with dried blood," Federal OSHA is talking about those items that are heavily contaminated with dried blood where the dried material could flake or fall off of the item during handling. This "heavy contamination" means the item would have been saturated and dripping before drying. In addition, contaminated items that are "capable of releasing blood or other potentially infectious materials in a liquid or semi-liquid state if compressed" would also meet the "saturated and dripping" criteria. Based on this analysis, it was concluded that the "saturated and dripping" criteria for determining "infectious waste" is still valid. Further, it was agreed by all parties that the Association's concerns regarding the definition of regulated waste can be adequately addressed in the enforcement guidelines, making a public hearing unnecessary. The Minnesota Medical Association and Minnesota Hospital Association subsequently withdrew their requests for a public hearing.

On April 1, 1992, Minnesota OSHA representatives met with representatives of the Mechanical Contractors Association to discuss the impact of the standard on independent contractors. Discussion topics included: 1) coverage under the standard, which is dependent on the reasonable anticipation of exposure to blood or other potentially infectious materials; 2) that "reasonably anticipated" means exposure to blood is an integral part of the employees job assignments; 3) "Good Samaritan" acts are not considered "occupational exposure" because such acts are not generally part of an employee's assigned duties; and 4) exposure to blood or other potentially infectious materials by independent contractors would not reasonably be anticipated on new construction projects, in commercial,

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Adopted Rules

industrial, or office buildings, nor in private residences. The Association representatives indicated that they would review these interpretations and determine whether or not additional clarification would be necessary.

The conclusion to the discussion of the application of the standard to independent contractors was issued by the Federal OSHA Office of Field Programs on May 6, 1992, in a decision stating that the Bloodborne Pathogens Standard will not be enforced in the construction, maritime and agriculture industries. It was determined that these industries were not adequately included in the rulemaking process and offered the opportunity to comment on the impact of this standard as it might relate to them. Minnesota OSHA will abide by this interpretation. This decision makes it unnecessary to hold a public hearing to discuss the impact of the standard on independent contractors. Based on the Federal OSHA decision and Minnesota OSHA's agreement to abide by that decision, the Mechanical Contractors Association withdrew its request for a public hearing.

The Bloodborne Pathogens Standard will become effective in Minnesota on June 6, 1992. Federal OSHA allowed 60, 90, and 120 days for compliance with the various provisions of the standard. Minnesota OSHA will allow the same amount of time. Compliance dates are as follows:

<u>Provisions</u>	<u>Minnesota Compliance Date</u>
Effective Date of the Standard	June 6, 1992
Exposure Control Plan	August 5, 1992
Information and Training	September 4, 1992
Recordkeeping	September 4, 1992
Engineering/Work Practice Controls	October 4, 1992
Personal Protective Equipment	October 4, 1992
Hepatitis B Vaccination and Post-Exposure Followup	October 4, 1992
Labels and Signs	October 4, 1992
Housekeeping	October 4, 1992
Other Provisions	October 4, 1992

John B. Lennes, Commissioner

Standard as Adopted

Rules as Adopted

5205.0010 ADOPTION OF FEDERAL OCCUPATIONAL SAFETY AND HEALTH STANDARDS BY REFERENCE.

[For text of subpart 1, see M.R.]

Subp. 2. **Part 1910.** Part 1910: Occupational Safety and Health Standards as published in Volume 43, No. 206 of the *Federal Register* on October 24, 1978, and corrected in Volume 43, No. 216 on November 7, 1978, which incorporates changes, additions, deletions, and corrections made up to November 7, 1978; and subsequent changes made prior to December 4, 1991:

[For text of items A to M, see M.R.]

N. *Federal Register*, Vol. 56:

[For text of subitems (1) to (7), see M.R.]

(8) *Federal Register*, Vol. 56, No. 235, dated December 6, 1991: "Occupational Exposure to Bloodborne Pathogens; Final Rule."

[For text of subps 3 to 7, see M.R.]

Department of Public Safety

Adopted Permanent Rules Relating to Public Safety Officer Death Benefits

The rules proposed and published at *State Register*, Volume 16, Number 35, pages 1942-1944, February 24, 1992 (16 SR 1942), are adopted with the following modifications:

Rules as Adopted

7521.0200 DETERMINATION OF CLAIMS.

Subp. 3. **Determination of eligibility.** On determining that the claimant is eligible for benefits, the commissioner shall initiate the

payment procedure and inform the claimant. On determining that the claimant is not eligible for benefits, or that there is insufficient information on which to make a determination, the commissioner shall deny the claim and inform the claimant of the grounds for denial: The commissioner shall also give notice of a claim denial to the deceased officer's former employer and to the deceased officer's labor organization, if the claimant has consented in writing to the giving of this notice in the manner provided by Minnesota Statutes, section 13.05, subdivision 4, paragraph (d).

Subp. 5. **Starting a contested case hearing.** A claimant may request a contested case hearing under *Minnesota Statutes*, chapter 14.

A claimant who has not requested reconsideration under subpart 4 shall submit a written request for a contested case hearing to the commissioner ~~no more than 30 days after the claimant receives the notice of denial.~~

A claimant who has requested reconsideration under subpart 4 shall submit a written request for a contested case hearing to the commissioner ~~no more than 30 days after the claimant receives the notice of denial upon reconsideration.~~

Errata

Pollution Control Agency

Correction in Adopted Rule

This corrects an error in an adopted rule published in the *State Register*, Volume 16, Number 43, dated 20 April 1992. In rule number 7035.2885 subpart 5 the column titled Maximum leachable contaminant level (mg/l) should read ($\mu\text{g/l}$). Rule number 7035.2885 subpart 5 is reprinted in its entirety below.

Subp. 5. **Maximum leachable contaminant levels.** The maximum leachable contaminant levels are as follows:

Substance	Maximum leachable contaminant level ($\mu\text{g/l}$)
Arsenic	750
Barium	30,000
Boron	9,000
Cadmium	60
Chromium	450 <u>1,500</u>
Copper	15,000
Lead	300
Manganese	9,000
Mercury	30
Nickel	2,100
Selenium	300
Silver	300
Tin	60,000
Zinc	21,000

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Emergency Rules

Proposed Emergency Rules

According to Minn. Stat. of 1984, §§14.29-14.30, state agencies may propose adoption of emergency rules if: 1) expressly required; 2) authorized by statute; or 3) if the manner permitted by a directive (given by statute, federal law or court order) does not allow for compliance with sections 14.14-14.28. The agency must, however, publish a notice of intent to adopt emergency rules, along with the rules themselves, in the *State Register*. The notice must advise the public:

- 1) that a free copy of the proposed emergency rule is available upon request from the agency;
- 2) that notice of the date that the rule is submitted to the attorney general will be mailed to persons requesting notification;
- 3) that the public has at least 25 days after publication of the proposed emergency rule to submit data and views in writing; and
- 4) that the emergency rule may be modified if the data and views submitted support such modification.

Adopted Emergency Rules

Emergency rules take effect five working days after approval by the attorney general, and after compliance with Minn. Stat. §§14.29-14.365. As soon as possible, emergency rules are published in the *State Register* in the manner provided for in section 14.18.

Emergency rules are effective for the period stated in the notice of intent to adopt emergency rules. This may not exceed 180 days.

Continued/Extended Emergency Rules

Adopted emergency rules may be continued in effect (extended) for an additional 180 days. To do this, the agency must give notice by: 1) publishing notice in the *State Register*; and 2) mailing the same notice to all persons who requested notification on rulemaking. No emergency rule may remain in effect 361 days after its original effective date. At that point, permanent rules adopted according to Minn. Stat. 14.14-14.28 supercede emergency rules.

Department of Human Services

Notice of Continuation of Emergency Amendments to Permanent Rules and Emergency Rules Relating to Professional Home-Based Mental Health Services, *Minnesota Rules*, Part 9505.0175, subpart 43 and Part 9505.0324

NOTICE IS HEREBY GIVEN that the State Department of Human Services is continuing the above-entitled emergency rules in effect for an additional 180 days in accordance with *Minnesota Statutes*, section 14.35.

The notice adopting the emergency rule was published at *State Register*, Volume 16, Number 28, pages 1652 to 1653, January 6, 1992 (16 S.R. 1652). The rules became effective December 27, 1991 and are scheduled to expire on June 23, 1992. This notice of continuing will extend the effective life of the above-entitled rules through December 20, 1992.

Dated: 20 May 1992

Natalie Haas Steffen
Commissioner

Department of Human Services

Health Care Management Division

Notice of Continuation of Emergency Amendments to Permanent Rules Relating to Case Management for Persons with Serious and Persistent Mental Illness or Severe Emotional Disturbance *Minnesota Rules*, Parts 9505.0476 to 9505.0491

NOTICE IS HEREBY GIVEN that the State Department of Human Services is continuing the above-entitled emergency rules in effect for an additional 180 days in accordance with *Minnesota Statutes*, section 14.35.

The notice adopting the emergency rules was published at *State Register*, Volume 16, Number 28, pages 1651 to 1652, January 6, 1992 (16 S.R. 1651). The rules became effective December 27, 1991 and are scheduled to expire on June 23, 1992. This notice of continuation will extend the effective life of the above-entitled rules through December 20, 1992.

Dated: 20 May 1992

Natalie Haas Steffen
Commissioner

Department of Human Services

Health Care Division

Notice of Continuation of Emergency Rule Governing Medical Care Surcharge and Special Payments

NOTICE IS HEREBY GIVEN that the State Department of Human Services is continuing the above-entitled emergency rules in effect for an additional 113 days in accordance with *Minnesota Statutes*, section 14.35.

The notice adopting the emergency rules was published in *State Register*, Volume 16, Number 26, page 1557, December 23, 1991, (16 S.R. 1557). The rules became effective December 13, 1991, and are scheduled to expire June 9, 1992. This notice of continuation will extend the effective life of the above-entitled rules through September 30, 1992.

Dated: 21 May 1992

Natalie Haas Steffen
Commissioner

Department of Human Services

Mental Health Division

Notice of Continuation of Emergency Rules Relating to Case Management for Children with Severe Emotional Disturbance and Their Families, *Minnesota Rules*, Parts 9520.0900 to 9520.0926

NOTICE IS HEREBY GIVEN that the State Department of Human Services is continuing the above-entitled emergency rules in effect for an additional 180 days in accordance with *Minnesota Statutes*, section 14.35.

The notice adopting the emergency rules was published at *State Register*, Volume 16, Number 28, pages 1650 to 1651, January 6, 1992 (16 S.R. 1650). The rules became effective December 27, 1992 and are scheduled to expire on June 23, 1992. This notice of continuing will extend the effective life of the above-entitled rules through December 20, 1992.

Dated: 20 May 1992

Natalie Haas Steffen
Commissioner

Official Notices

Pursuant to the provisions of Minnesota Statutes § 14.10, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject, either orally or in writing.

The *State Register* also publishes other official notices of state agencies, notices of meetings, and matters of public interest.

Department of Commerce

Correction to Adjustment of Dollar Amounts for the Minnesota Property Exemption and Restrictions of Deficiency Judgments

Change of Official Notice: The following notice is changed from the official notice printed in the April 27, 1992 *State Register* on pages 2369 and 2370. Underlining indicates the changes from the original notice.

ADJUSTMENT OF DOLLAR AMOUNTS
RESTRICTIONS ON DEFICIENCY JUDGMENTS AND MINNESOTA PROPERTY EXEMPTION

Commissioner of Commerce Bert J. McKasy announced today dollar increases in both the deficiency judgment *Minnesota Statutes*, Section 325G.22, and the property exemption from creditor collection action provided in *Minnesota Statutes*, Section 550.37. These statutes provide that the dollar amounts will be adjusted in even numbered years based on a percentage change in the Implicit Price Deflator for the Gross National Product.

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Information obtained from the U.S. Department of Commerce, Bureau of Economic Analysis, indicates the percentage change from the revised reference base to be 58% calculated to the nearest whole percentage point as required. The index was revised nationally to 1987 = 100 with the statutory reference base index for dollar adjustments being December 1980. The rebased index for December 1980 is 74.4 increasing to 117.9 in December 1991, for a percent change of 58.47%. The statute requires that the percentage of change in the reference base index to be 10% or more in order to adjust the dollar amounts. The portion of the percentage change in the index in excess of a multiple of ten percent shall be disregarded as dollar amounts shall change only in multiples of ten percent. This means indexed dollar amounts will increase an additional 10% effective in July 1, 1992, after factoring out prior year's adjustments.

DOLLAR ADJUSTMENT FOR RESTRICTIONS ON DEFICIENCY JUDGMENTS

Minnesota Statutes, Section 325G.22 was amended in 1990 to provide indexing of the \$3,000 amount found in subdivision 1 relating to financing a purchase money security interest in a consumer credit transaction. Subdivision 1a states the periodic adjustments are to follow the indexing provisions of section 550.37, subdivision 4a. The amendment was effective April 24, 1990 requiring a cumulative 40% increase to be used for July 1, 1990 as the reference base index for this dollar amount adjustment is December 1980.

	<u>Original</u>	<u>7-1-90 40% increase</u>	<u>7-1-92 10% increase</u>
Credit Extended	\$3,000	\$4,200	\$4,500

DOLLAR ADJUSTMENTS FOR EXEMPT PROPERTY

Minnesota Statutes, Section 550.37 subdivision 4(a) required indexing the \$4,500 personal property exemption in Subdivision 4 since 1984. Subdivision 4(a) was amended in 1985, effective July 1, 1986, to include dollar amount adjustments for other exempt property within this section of statute, which required a cumulative 30% adjustment in 1988 as the reference base index for dollar adjustments is December 1980. A further amendment to subdivision 4(a) in 1989 fixed \$13,000 as the maximum amount for subdivisions 5 and 7 and established \$30,000 as the amount for employee benefits in subdivision 24(2). The \$30,000 was adjusted a cumulative 40% in 1990 when the percent change from the December 1980 reference base index was applied.

The historic and 1992 dollar adjustments for *Minnesota Statutes*, Section 550.37 by subdivision are as follows, with the percentage increase noted under the various dates:

<u>Exemption</u>	<u>Original</u>	<u>7-1-84 No Change</u>	<u>7-1-86 20%</u>	<u>7-1-88 10%/30%*</u>	<u>7-1-90 10%/40%**</u>	<u>7-1-92 10%</u>
Personal goods subdivision 4	\$ 4,500	\$4,500	\$5,400	\$ 5,850	\$ 6,300	\$ 6,750
Farm subdivision 5	\$10,000	NA	NA	\$13,000*	No increase	No increase
Business subdivision 6	\$ 5,000	NA	NA	\$ 6,500*	\$ 7,000	\$ 7,500
Combined subdivision 5 and 6 and subdivision 7	\$10,000	NA	NA	\$13,000*	No increase	No increase
Insurance benefits	\$20,000	NA	NA	\$26,000*	\$28,000	\$30,000
Additional dependent insurance benefits subdivision 10	\$ 5,000	NA	NA	\$ 6,500*	\$ 7,000	\$ 7,500
Motor vehicle subdivision 12a	\$ 2,000	NA	NA	\$ 2,600*	\$ 2,800	\$ 3,000
Accrued interest subdivision 23	\$ 4,000	NA	NA	\$ 5,200*	\$ 5,600	\$ 6,000
Employee benefits subdivision 24(2)	\$30,000	NA	NA	NA	\$42,000**	\$454,000

The next published adjustment is scheduled on or before April 30, 1994, for July 1, 1994, based on the December 1993 index.

Department of Commerce

Correction to Adjustment of Dollar Amounts for the Minnesota Regulated Loan Act

Change of Official Notice: The following notice is changed from the official notice printed in the April 27, 1992 State Register on pages 2368 and 2369. Underlining indicates the changes from the original notice.

MINNESOTA REGULATED LOAN ACT—ADJUSTMENT OF DOLLAR AMOUNTS

Commissioner of Commerce Bert J. McKasy announced today that an additional 10% change will occur in certain dollar amounts indexed in the Regulated Loan Act (The Act), *Minnesota Statutes*, Chapter 56. The Act provides for periodic adjustment in dollar amounts that would be effective on July 1, in even-numbered years based on a percentage change in the Implicit Price Deflator for the Gross National Product.

Information obtained from the U.S. Department of Commerce, Bureau of Economic Analysis indicates a percentage change from the revised reference base to be 58% calculated to the nearest whole percentage point as required. The index was revised nationally to 1987 = 100, with the statutory reference base index for dollar adjustments being December 1980. The rebased index for December 1980 is 74.4, increasing to 117.9 in 1991, for a percent change of 58.47%. The statute requires that the percentage change in the reference base index be 10% or more in order to adjust the dollar amounts. The portion of the percentage change in the index in excess of a multiple of ten percent shall be disregarded as dollar amounts only in multiples of ten percent. The law was effective August 1, 1981, and there was no change in dollar amounts in 1982.

According to Commissioner McKasy, this means indexed dollar limits will increase an additional 10% effective July 1, 1992 after factoring out prior year's adjustments. The results of indexing are as follows, with the percentage increase noted under the various dates:

	<u>Original</u>	<u>7-1-84</u> <u>10%</u>	<u>7-1-86</u> <u>10%</u>	<u>7-1-88</u> <u>10%</u>	<u>7-1-90</u> <u>10%</u>	<u>7-1-92</u> <u>10%</u>
Loan maximum <i>Minnesota Statutes</i> § 56.131, subd. 1(a)	\$35,000	\$38,500	\$42,000	\$45,500	\$49,000	\$52,500
Principal subject to 33% interest <i>Minnesota Statutes</i> § 56.131, subd. 1(a)(1)	\$ 350	\$ 385	\$ 420	\$ 455	\$ 750	\$ <u>750*</u>
Maximum closing costs on real estate secured loans <i>Minnesota Statutes</i> § 56.131, subd. 2(b)	\$ 250	\$ 275	\$ 300	\$ 325	\$ 350	\$ 375
Minimum real estate secured loan for discount points <i>Minnesota Statutes</i> § 56.131, subd. 6 effective June 2, 1983 <u><i>Minnesota Statutes</i> § 53.04, subd. 3a</u>	\$ 7,500	\$ 8,250	\$ 9,000	\$ 9,750	\$10,500	\$11,250
Minimum real estate secured loan exceeding <i>Minnesota Statutes</i> §§ 56.12 and <u>56.125</u>	\$ 2,700	\$ 2,970	\$ 3,240	\$ 3,510	\$ 3,780	\$ 4,050
Assumption fee <i>Minnesota Statutes</i> §§ 56.12	\$ 150	\$ 165	\$ 180	\$ 195	\$ 210	\$ 225
Minimum new funds advance for discount points and appraisal fees <i>Minnesota Statutes</i> §§ 56.131, subd. 2(d)	\$ 1,000	NA	NA	NA	\$ 1,000**	\$ <u>1,000*</u>

Section 56.131, subdivision 1(a)(1) was amended in 1990, effective April 24, 1990, increasing the principal loan amount subject to the 33% per year interest rate. This dollar amount was not subject to indexing on July 1, 1990 as indicated in the 1990 revisors' technical corrections bill.

***Important.** These amounts may change prior to the July 1, 1992 effective date based on the passage of S.F. No. 2213 as it amends Section 56.131 subdivision 4. The legislature passed the bill which has not yet been signed by the Governor. The bill provides publication before June 30 to confirm the amendment that establishes December 30, 1990 as the reference base index for dollar adjustment to the \$750 in subdivision 1(a)(1) and the \$1,000 in subdivision 2(d). These dollar amounts will remain unchanged from 1990. S.F. No. 2213 became Chapter 587 1992 Session Laws, effective April 28, 1992, amending the reference base index date for subdivision 1(a)(1) and subd. 2(d) to December 30, 1990. The rebased index for December 1990 is 114.5, increasing to 117.9 in 1991 for a percent change of 2.97%. The statute requires that the percentage change in the reference base index be 10% or more in order to adjust dollar amounts. This will confirm no dollar change in these subdivisions for 1992. The April 27, 1992 publication had indexed the \$750 to \$1,125 and \$1,000 to \$1,500 for July 1, 1992 which was prior to the effective date of the 1992 law.

**Section 56.131, subdivision 2(d), setting a minimum advance required to charge discount points and appraisal fees, was added

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by a 1990 amendment. This statutory amount was to have been adjusted in 1990 to \$1,400; however, its publication was inadvertently overlooked. The \$1,000 will remain the correct level for compliance purposes. The dollar adjustment is subject to amendment, and no change, based on S.F. No. 2213 as previously discussed.

The minimum default charge permitted in Section 56.131, subdivision 1(f)(4) increased to \$4.00 by amendment effective June 25, 1985. Section 56.131, subdivision 4 was also amended to use December 1984 as the reference base index date for dollar adjustments on default charges. The rebased index for December 1984 is 92.3, increasing to 117.9 in December 1991, for a percent change of 27.74%. The portion of the percent change in the index in excess of a multiple of ten percent shall be disregarded as dollar amounts shall change only multiples of ten percent of amounts appearing law. This results in an additional 10% increase effective July 1, 1992 with historic and current indexing of the default charge as follows, with the percentage increase noted under the indexed dates:

	<u>Original</u>	<u>7-1-86</u> <u>No change</u>	<u>7-1-88</u> <u>No change</u>	<u>7-1-90</u> <u>10%</u>	<u>7-1-92</u> <u>10%</u>
Default charge	\$4.00	\$4.00	\$4.00	\$4.40	\$4.80

The next published adjustment is scheduled on or before April 30, 1994, for July 1, 1994, based on the December 1993 index.

Minnesota Comprehensive Health Association

Notice of Meeting of the Finance Committee

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association (MCHA), Finance Committee will be held at 9:00 a.m. on Thursday, June 4, 1992 at North American Life & Casualty Company, 1750 Hennepin Avenue South, Minneapolis, Minnesota.

For additional information please call Lynn Gruber at (612) 593-9609.

Minnesota Comprehensive Health Association

Notice of Annual Meeting of Members and Annual Meeting of the Board of Directors

NOTICE IS HEREBY GIVEN that the Annual Meeting of Members of the Minnesota Comprehensive Health Association (MCHA), will be held at 9:00 a.m. on Tuesday, June 9, 1992 at The Minnesota Club, 317 Washington Street, St. Paul, Minnesota 55102, to be immediately followed by the Annual Meeting of the Board of Directors.

For additional information please call Lynn Gruber at (612) 593-9609.

Department of Human Services

Audits Division

Notice of Disproportionate Population Adjustment

The purpose of this notice is to provide information concerning the Disproportionate Population Adjustment (DPA) under the Medical Assistance (MA) Program. The following DPA factors are effective for admissions occurring from July 1, 1992 through September 30, 1992 and have not changed from the previous year. The inpatient operating rate of each hospital is increased by the indicated percentage. The listed percentage is also applicable to payments made under the General Assistance Medical Care Program. Revisions to the DPA and methodology of payment under the MA program will be effective October 1, 1992 based on recent amendments to federal and state law. Notice of the changes will be provided prior to implementation.

<u>PID</u>	<u>HOSPITAL</u>	<u>DPA%</u>
0101778	Monticello/Big Lake	.34
0101100	Parkers Prairie District	.44
0101916	United, Grand Forks	.91
0100049	St. Mary's Detroit Lakes	.97
0100027	Mercy, Coon Rapids	1.80
0100468	Riverside Medical Center	1.83
0100912	Trimont	2.09

PID	HOSPITAL	DPA%
010005X	Bemidji	2.44
0100730	International Falls	3.99
0101869	St. Francis, LaCrosse	4.15
0101224	Midway, Mounds Park, St. Paul	4.16
0101439	Miller Dwan, Duluth	5.34
0100570	University of Minnesota, Minneapolis	5.55
0101428	Central Mesabi, Hibbing	5.62
0101552	St. Cloud	5.70
0101290	St. Paul Ramsey	6.82
0101825	Minneapolis Children's Medical Center	7.47
0102443	River Hills, Prescott	8.09
0101213	St. Paul Children's	11.48
0101490	Hennepin County Medical Center, Minneapolis	12.66
0102002	Gillette Children's, St. Paul	14.84

Questions or comments may be directed to:

Paul Olson
 Department of Human Services
 Hospital Unit
 444 Lafayette Road
 St. Paul, Minnesota 55155-3836
 (612) 296-5620

Department of Natural Resources

Notice of Intent to Hold State Metallic Minerals Lease Sale State Lands to be Offered for Metallic Minerals Exploration

The Minnesota Department of Natural Resources announces that plans are being developed to hold the state's seventeenth sale of metallic minerals exploration and mining leases. The sale is tentatively scheduled for October 1992. The lease sale plans are being announced at this time in order to give mining companies, public interest groups and all other interested parties additional time to review the areas under consideration.

The purpose of Minnesota's metallic minerals rules (*Minnesota Rules*, parts 6125.0100-.0700) is to promote and regulate the prospecting for, mining and removal of metallic minerals on state-owned and state-administered lands. These rules, and the leases issued under these rules, authorize exploration and development of these minerals and impose certain requirements on the lessee. The requirements include: the payment of rentals that increase with the passage of time, the payment of royalty for all ore mined and removed, the submission of data and other reports, and the addressing of environmental considerations. In addition, the state lessee must comply with all applicable regulatory laws.

The areas under consideration for the lease sale cover portions of Aitkin, Beltrami, Cass, Crow Wing, Itasca, Koochiching, Lake of the Woods, Morrison, Roseau and Todd Counties. Some of the lands being considered have been offered in previous metallic minerals lease sales, but based upon the interest shown by industry, new geologic data, and exploration techniques developed during the past few years, it is felt that within these lands there is significant potential for the discovery of mineral resources. Certain new lands of interest are also being considered for the lease sale.

The exact time and place of the lease sale will be announced by legal notice at least thirty (30) days prior to the sale. Mining unit books, listing the state lands to be offered at the lease sale, will be available for inspection or purchase at that time.

A map showing the general areas under consideration may be obtained from the Division of Minerals, Box 45, 500 Lafayette Road, Saint Paul, MN 55155-4045, telephone 612-296-4807.

Dated: 26 May 1992

Rodney W. Sando
 Commissioner of Natural Resources

Minnesota Pollution Control Agency

Water Quality Division

Notice of Solicitation of Outside Information or Opinions Regarding the State Rules for Individual Sewage Treatment Systems

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (Agency) is seeking information and opinions from sources outside the Agency to assist in developing amendments under *Minnesota Rules* chapter 7080, Individual Sewage Treatment Systems. Adoption of rule amendments under this chapter is authorized by *Minnesota Statutes* section 115.03, subdivision 1.

Chapter 7080 establishes the minimum standards and criteria for the design, location, installation, use and maintenance of individual sewage treatment systems. Individual sewage treatment systems are commonly known as septic systems. The purpose of these standards and criteria is to protect the surface and ground waters of the state and promote public health and general welfare.

These rules were last revised in 1989. The goal of this revision is to use the experience the Agency has gained with individual sewage treatment systems to improve the rule language and clarify its meaning.

The Agency requests information and opinions concerning the subject matter of the rule. Interested persons or groups may submit data or views on the subject of concern in writing or orally. Written or oral statements should be directed to:

Dave Nelson
Water Quality Division/NSS
Minnesota Pollution Control Agency
520 Lafayette Road
St. Paul, Minnesota 55155

Oral statements will be received from 8:00 a.m. to 4:30 p.m. over the telephone at (612) 296-9274 or in person at the above address.

All statements of information and opinions will be accepted until 4:30 p.m. on July 15, 1992. Any written materials received by the Agency shall become part of the rulemaking record to be submitted to the attorney general or an administrative law judge in the event that the rule amendments are adopted.

Dated: 22 May 1992

Charles W. Williams
Commissioner

Department of Public Safety

Fire Marshal Division

Notice of Solicitation of Outside Information or Opinions Regarding Development of Rules Related to Fire Protection (Sprinkler) Systems

NOTICE IS HEREBY GIVEN that the State Department of Public Safety is seeking information or opinions from sources outside the Department in preparing to propose the adoption of rules related to fire protection (sprinkler) systems. The regulation of fire protection systems is governed by *Minnesota Statutes*, sections 299M.01 to 299M.12, as enacted in *Minnesota Laws 1992*, chapter 508. Chapter 508 also provides for the appointment of a Minnesota advisory council on fire protection systems. The adoption of the rules is authorized by *Minnesota Statutes*, section 299M.04, which states: "The commissioner shall adopt permanent rules for operation of the council; regulation by municipalities; permit, filing, inspection, certificate, and license fees; qualifications, examination, and licensing of fire protection contractors; certification of journeyman sprinkler fitters; registration of apprentices; and the administration and enforcement of this chapter."

The State Department of Public Safety requests information and opinions concerning the subject matter of the rules.

Interested persons or groups may submit data or views in writing or orally. Written statements should be addressed to:

Allen Rupp
State Fire Marshal Division
450 North Syndicate Street, #285
St. Paul, Minnesota 55104

Oral statements will be received during regular business hours over the telephone at (612) 643-3084 and in person at the above address.

All statements of information and opinions will be accepted until further notice is published in the *State Register* that the Department intends to adopt or to withdraw the rules. Any written material received by the State Department of Public Safety will become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rules are adopted.

Dated: 19 May 1992

Thomas H. Frost, Commissioner
Department of Public Safety

Minnesota Public Utilities Commission

Notice of Intent to Solicit Outside Information and Opinion Regarding Proposed Rules Governing Telephone Company Responses to Persons Who Request Call Tracing After Receiving Harassing Telephone Calls, Docket No. P-999/R-92-363

NOTICE IS HEREBY GIVEN that the Minnesota Public Utilities Commission (Commission) is seeking information or opinions from outside sources in preparing to propose the adoption of rules governing responses by telephone companies to requests for tracing calls made to households that have allegedly received harassing calls. The adoption of the rules is authorized by *Minnesota Statutes* § 237.069 (1992), which provides the following:

The commission shall adopt rules to govern how telephone companies respond to requests for tracers made by persons who allege receiving harassing telephone calls. The rules must address when a request for a tracer may be denied or delayed.

The Commission requests information and opinions concerning the subject matter of the rules. Interested persons or groups may submit data or views in writing or orally. Written statements or comments should be directed to:

Carol Casebolt
Minnesota Public Utilities Commission
780 American Center Building
150 East Kellogg Boulevard
St. Paul, MN 55101
(612) 296-6029

Oral statements or comments will be received during regular business hours, 8:00 a.m. to 4:30 p.m., Monday through Friday.

All statements of information and opinion will be accepted until 4:30 p.m. on July 10, 1992. Any written materials received by the Commission shall become part of the rulemaking record in the event that the rule is adopted.

Richard R. Lancaster
Executive Secretary

Office of the Secretary of State

Notice of Vacancies in Multi-Member Agencies

NOTICE IS HEREBY GIVEN to the public that vacancies have occurred in multi-member state agencies, pursuant to *Minnesota Statutes* 15.0597, subdivision 4. Application forms may be obtained from the Office of the Secretary of State, Open Appointments, 180 State Office Building, St. Paul, MN 55155-1299; (612) 297-5845, or in person at Room 174 of the State Office Building. More specific information about these vacancies may be obtained from the agencies listed below. These vacancies will remain open for application through June 23, 1992. Appointing Authorities may also choose to review applications received after that date. Applications are kept on file for a one year period.

PESTICIDE APPLICATOR EDUCATION AND EXAMINATION REVIEW BOARD

90 W. Plato Blvd., St. Paul 55107. 612-297-7175

Minnesota Statutes 18B.035, Sec. 34., Subd. 3

APPOINTING AUTHORITY: Commissioner of Agriculture. **COMPENSATION:** None.

VACANCY: One vacancy: representative of an environmental protection organization.

The Board reviews, revises and updates pesticide applicator training manuals and examinations, and discusses topics of concern that can be incorporated into pesticide applicator training. The board consists of fifteen members, representing industry, private, nonprofit organizations, and other governmental agencies, including the University of Minnesota, the Pollution Control Agency, Department of Health, Department of Natural Resources, and Department of Transportation. Membership on the board must include

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representatives from environmental protection organizations. The terms of members are indefinite. Quarterly meetings of approximately three hours, specific dates are set by the board. Meetings are held at the MN Department of Agriculture.

RURAL HEALTH ADVISORY COMMITTEE

717 Delaware St. SE, Mpls. 55414

Laws of 1992, Chp. 549, Art. 5, Sec. 7

APPOINTING AUTHORITY: Governor, with recommendations from the Commissioner of Health. **COMPENSATION:** \$55 per diem plus expenses.

VACANCY: Fifteen vacancies: Please see the description of this new committee.

The committee advises the commissioner of Health and other state agencies on rural health issues. The committee consists of fifteen members, all of whom must reside outside of the seven-county metropolitan area. Membership must include: two members from the Minnesota House of Representatives, one from the minority party and one from the majority party; two members from the Minnesota Senate, one from the minority party and one from the majority party; a volunteer member of an ambulance service based outside the seven-county metropolitan area; a representative of a hospital located outside the seven-county metropolitan area; a representative of a nursing home located outside the seven-county metropolitan area; a medical doctor of osteopathy licensed under chapter 147; a mid-level practitioner; a registered nurse or licensed practical nurse; a licensed health care professional from an occupation not otherwise represented on the committee; a representative of an institution of higher education located outside the seven-county metropolitan area that provides training for rural health care providers; and three consumers, at least one of whom must be an advocate for persons who are mentally ill or developmentally disabled. In making appointments to the board the governor shall ensure that appointments provide geographic balance among those areas of the state outside the seven-county metropolitan area. The chair of the committee shall be elected by the members. Meeting location and schedule is undetermined at this time.

DATA COLLECTION ADVISORY COMMITTEE

717 Delaware St. SE, Mpls. 55414

Laws of 1992, Art. 7, Sec. 1, subd. 8

APPOINTING AUTHORITY: Commissioner of Health. **COMPENSATION:** \$55 per diem plus expenses.

VACANCY: Fifteen vacancies: Please see the description of this new committee.

The committee advises the commissioner of Health and the Minnesota Health Care Commission about data collection issues. The committee consists of fifteen members including health service researchers, health care providers, health carrier representatives, representatives of businesses that purchase health coverage, and consumers. Six members of the committee shall be health care providers. Meeting location and scheduled is not determined at this time.

PRACTICE PARAMETER ADVISORY COMMITTEE

717 Delaware St. SE, Mpls. 55414

Laws of 1992, Ch. 549, Art. 7, Sec. 3

APPOINTING AUTHORITY: Commissioner of Health. **COMPENSATION:** \$55 per diem plus expenses.

VACANCY: Fifteen vacancies: Please see the description of this new committee.

The committee presents recommendations on the adoption of practice parameters and provides technical assistance as needed to the Commissioner of Health and the Minnesota Health Care Commission. The committee consists of fifteen members including eight health care professionals and representatives of the research community and medical technology industry. Meeting location and schedule undetermined at this time.

OMBUDSMAN COMMITTEE FOR MENTAL HEALTH AND MENTAL RETARDATION

Suite 202, Metro Square Bldg., St. Paul 55101. 612-296-0941

Minnesota Statutes 245.97

APPOINTING AUTHORITY: Governor. **COMPENSATION:** Reimbursed for expenses.

VACANCY: Two vacancies. The committee advises and assists the Ombudsman for Mental Health and Mental Retardation. Committee members are appointed on the basis of their knowledge of and interest in the health and human services system subject to the Ombudsman's authority. One vacancy is for a physician licensed to practice in the state of Minnesota, preferably a pathologist, and will be required to serve on the medical review subcommittee.

The committee advises and assists the Ombudsman for Mental Health and Mental Retardation. The committee consists of fifteen members who are appointed on the basis of their knowledge of and interest in the health and human services system subject to the ombudsman's authority. Meetings four times per year.

HAZARDOUS WASTE MANAGEMENT PLANNING COUNCIL

1350 Energy Lane, St. Paul 55108. 612-649-5750

Minnesota Statutes 115A.12

APPOINTING AUTHORITY: Office of Waste Management. **COMPENSATION:** Reimbursed for expenses.

VACANCY: Eighteen vacancies: including six industry representatives, six local government representatives, and six citizen representatives.

The council makes recommendations to the Office of Waste Management on industrial waste management planning, waste management facility development, and industrial waste reduction issues and programs. The council may have up to eighteen members and includes public members, representatives of local government units, hazardous waste generators and private hazardous waste management firms. Meetings once a month.

SPECIAL EDUCATION ADVISORY COUNCIL

800 Capitol Square Bldg., 550 Cedar St., St. Paul 55101. 612-297-4682

Public Law 94-142

APPOINTING AUTHORITY: State Board of Education. **COMPENSATION:** Reimbursed for expenses.

VACANCY: One vacancy: knowledgeable of the unique needs of children and youth with disabilities, knowledgeable of regular and special education, able to advise the State Board of Education and the Minnesota Department of Education in developing special education policies.

The council assists the state in developing policies, plans and practices that will assure effective and efficient special education programs for learners with disabilities ages birth to 21. The fifteen member council represents parents of children with disabilities, consumers, advocacy organizations, special education teachers and administrators, regular education teachers and administrators, and higher education teacher training programs, as well as Congressional Districts. Members are appointed for three year terms. The council generally meets five times each school year. Meetings are one and one-half days in length. Reimbursement is provided for travel costs, lodging and meals.

PHYSICAL THERAPY COUNCIL

2700 University Ave. W., St. Paul 55114. 612-642-0538

Minnesota Statutes 148.67

APPOINTING AUTHORITY: Board of Medical Practices. **COMPENSATION:** \$55 per diem plus expenses.

VACANCY: One vacancy: Physician licensed to practice medicine in Minnesota.

The council advises the Board of Medical Practice on all matters relating to physical therapy. The council also advises the board in physical therapist registration and disciplinary matters. The council consists of seven members including three physical therapists, (one professor in the school of physical therapy), two doctors of medicine and surgery, one aide or assistant to a physical therapist, and one public member.

METROPOLITAN TRANSIT COMMISSION

560 6th Ave. N., Mpls. 55411-4398. 612-349-7400

Minnesota Statutes 473.404 as amended by Laws of 1989

APPOINTING AUTHORITY: Regional Transit Board; advice and consent of the senate. **COMPENSATION:** \$50 per diem plus expenses.

VACANCY: Two vacancies: One must reside in the transit service area of the commission, but outside of Minneapolis or St. Paul; one may reside anywhere in the seven-county metropolitan area. Applicants must have transit, governmental or management experience and cannot be a member of another metropolitan agency or hold a judicial office.

The commission provides transit services within the metropolitan area in conformance with the implementation plan of the Regional Transit Board. Five members include one resident of Minneapolis, one resident of St. Paul, two who reside in the service area of the commission outside Minneapolis and St. Paul, and one who may reside anywhere in the metropolitan area. At least one of the members outside of St. Paul and Minneapolis must reside in the full-peak and off-peak service area. Each member must have transit, governmental, or management experience. Members may not, during term of office, be a member of the Metropolitan Council, the Regional Transit Board, the Metropolitan Waste Control Commission, the Metropolitan Airport Commission, the Metropolitan Sports Facilities Commission or any other independent regional commission, board or agency or hold any judicial office. Members must file with the Ethical Practices Board.

MEDICAL SERVICES REVIEW BOARD

Dept. of Labor and Industry, Rehabilitation & Medical Affairs, 443 Lafayette Rd., St. Paul 55155. 612-296-8213

Minnesota Statutes 176.103

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APPOINTING AUTHORITY: Commissioner of Labor and Industry. **COMPENSATION:** \$55 per diem plus expenses.

VACANCY: Three vacancies: One physical therapist, one physical therapist alternate, and one hospital administrator alternate.

The board advises on medical matters relating to workers compensation and hears appeals under Chapter 14. Members include two chiropractic members, one hospital administration member, six physician members, one employee member, one employer or insurer member, one physical therapist, and one public member plus alternates. The commissioner or his designee serves as an ex-officio member. Members must file with the Ethical Practices Board.

MARKET DEVELOPMENT COORDINATING COUNCIL

MN Office of Waste Management, 1350 Energy Lane, St. Paul 55108. 612-649-5750

Minnesota Statutes 115A.12(1)

APPOINTING AUTHORITY: Office of Waste Management. **COMPENSATION:** Expenses.

VACANCY: Two vacancies: representatives of local government, private recycling market or waste hauler, state agencies or non-profits with experience in recycling or procurement of recycled products.

The council develops and coordinates statewide strategy for developing markets for recyclable materials and advises the Office of Waste Management on expenditure of Market Development funds. The council consists of not less than nine nor more than eighteen members: one representative each from the Department of Trade and Economic Development, Department of Administration, Pollution Control Agency, Greater Minnesota Corporation, Metropolitan Council, Legislative Commission on Waste Management; also representation from local government, private recycling markets and collectors. Monthly meetings at the Office of Waste Management in St. Paul.

MINNESOTA-WISCONSIN BOUNDARY AREA COMMISSION

619 2nd St., Hudson, WI 54016. 612-436-7131

Minnesota Statutes 1.31

APPOINTING AUTHORITY: Governor. **COMPENSATION:** Reimbursed for expenses.

VACANCY: One vacancy: Resident of Minnesota.

The commission studies, makes recommendations, and coordinates intergovernmental activities on the use, development and protection of the St. Croix and Mississippi rivers that form the interstate border of Minnesota and Wisconsin. Members include five commissioners from each state, each Minnesota member has a four year term. Terms are staggered. Bi-monthly Commission meetings; more frequent committee meetings.

State Grants

In addition to requests by state agencies for technical/professional services (published in the State Contracts section), the *State Register* also publishes notices about grant funds available through any agency or branch of state government. Although some grant programs specifically require printing in a statewide publication such as the *State Register*, there is no requirement for publication in the *State Register* itself.

Agencies are encouraged to publish grant notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

Minnesota Housing Finance Agency

Notice of Fund Availability Request for Proposals Special Needs Housing Program

The Minnesota Housing Finance Agency (MHFA) announces the availability of \$555,000 in loan/grant funds to assist eligible organizations in the acquisition, construction, or rehabilitation of housing for homeless persons and low income individuals at risk of becoming homeless. \$100,000 in loans/grant funds for housing adults with chronic chemical dependency; and \$50,000 in grant funds for non-profit organizations to develop coordinated training and housing programs for homeless adults.

Eligible Projects/Training Program: Four types of housing are eligible for funding and one type of training program:

- Temporary or transitional housing for individuals and families having an immediate need for housing
- Residential housing for migrant farmworkers
- Homeless individuals and families
- Housing for adults with chronic chemical dependency
- Grant funds for non-profit organizations to develop coordinated training and housing programs for homeless adults.

Matching Funds: Applicants must have matching sources of funds. The MHFA loan/grant may not exceed 50% of development costs.

Eligible Applicants: Eligible applicants are public agencies, for-profit entities, limited dividend entities, and non-profit entities that can demonstrate their ability to develop housing for homeless and near homeless persons.

Funding Process: Applicants should request application packets from staff at MHFA.

Minnesota Housing Finance Agency
400 Sibley Street, Suite 300
St. Paul, MN 55101

Attn: Special Needs Housing
Phone: (612) 206-9827

Applications are due by 4:30 p.m. on July 31, 1992. An interagency committee will review the applications and should make recommendations for funding to the MHFA Board by September 24, 1992.

This Request for Proposals (RFP) is subject to all applicable federal, state and municipal laws, rules and regulations. MHFA reserves the right to modify or withdraw this RFP at any time and is not able to reimburse any applicant for costs incurred in the preparation or submittal of applications.

The Minnesota Housing Finance Agency is an Equal Housing Opportunity and Equal Employment Agency.

Minnesota Housing Finance Agency

Request for Proposals Housing Trust Fund Housing Program

The Minnesota Housing Finance Agency (MHFA) and the Housing Trust Fund Advisory Committee (HTFAC) announce the availability of \$1,000,000 in loan funds to eligible sponsors to assist them in the development, construction, acquisition, preservation and rehabilitation of affordable rental housing, limited equity cooperative housing, and homes for ownership by low income persons. These funds were generated by interest earnings on real estate brokers' trust accounts; interest accrued on revenue bond application fees and forfeited fees; and state appropriated funds.

FORM OF AWARDS: Funds are awarded to projects in the form of a zero interest deferred loan. To encourage the long term affordability of the housing provided under this program, a thirty year repayment schedule is used. The loan must be repaid in full if the project fails to operate as affordable housing for low income persons during the first ten years of the loan. During the next twenty years, five percent of the loan is forgiven each year provided that the housing remains affordable for low income persons and families.

SET ASIDE: Up to twenty percent (approximately \$200,000) of the total funds available may be used for projects that are not compatible with the 30 year repayment schedule. Within the twenty percent set aside, up to \$100,000 will be available for home ownership projects. The MHFA's and the HTFAC's intent is to use this set aside of funds to encourage innovative proposals which would otherwise not be possible to fund given the 30 year use commitment. Applications submitted under the set aside will be evaluated with all applications received in response to the Request for Proposals. In addition, a goal of \$250,000 of the available funds has been set to fund developments that provide employment for unemployed and underemployed youth and adults. All other requirements of the Housing Trust Fund program will apply to these projects.

ELIGIBLE APPLICANTS: Eligible applicants are individuals, for-profit entities, nonprofit entities, Minnesota Cities, joint power boards established by two or more cities, and Minnesota Housing and Redevelopment Authorities.

ELIGIBLE PROJECTS: The legislation requires that the funds from the trust fund account be used "to provide loans or grants for projects for the development, construction, acquisition, preservation, and rehabilitation of low income rental and limited equity cooperative housing units and homes for ownership. At least 75 percent of the rental and cooperative units, and 100 percent of the homes for ownership, must be rented to or cooperatively owned, or owned by persons and families whose income does not exceed 30 percent of the median family income for the metropolitan area." (*Minnesota Statutes* Sect. 462A.201 Subd. 2.) As of February 1992, 30 percent of the Minneapolis/St. Paul area median income was \$15,300.

It is the desire of the MHFA and the HTFAC to use the Housing Trust Fund Housing Program to encourage and support innovative approaches to housing problems which provide affordable housing with strong local support. It is expected that these funds will be used to leverage other funds or to provide the final piece of a financing package. They can be used in conjunction with other MHFA, State, or Federal programs as appropriate.

APPLICATION PROCESS: Applicants should request application packets from MHFA staff:

Minnesota Housing Finance Agency
400 Sibley Street, Suite 300

State Grants

St. Paul, MN 55101
(612) 296-9844

If after reviewing the application materials there are any questions concerning the Housing Trust Fund Housing Program or the application process they should be directed to Denise Holter (612) 297-4294. Samples of successful applications are available for review at the MHFA offices. Applicants are encouraged to discuss the feasibility of their project proposal with MHFA staff prior to submitting an application for funds.

The original and two (2) copies of the application are due by 4:30 p.m. on Friday, July 31, 1992. The Housing Trust Fund Advisory Committee will review the applications and should make funding recommendations to the MHFA Board by September 24, 1992.

This Request for Proposals (RFP) is subject to all applicable federal, state, and municipal laws, rules, and regulations. MHFA reserves the right to modify or withdraw this RFP at any time and is not able to reimburse any applicant for costs incurred in the preparation or submittal of applications.

Professional, Technical & Consulting Contracts

Department of Administration procedures require that notice of any consultant services contract or professional and technical services contract which has an estimated cost of over \$10,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: name of contact person, agency name and address, description of project and tasks, cost estimate, and final submission date of completed contract proposal. Certain quasi-state agencies are exempted from some of the provisions of this statute.

Minnesota Academic Excellence Foundation

Notice of Request for Proposals for Professional Services

The Minnesota Academic Excellence Foundation is seeking assistance to assure the continued visibility, interpretation and delivery of MAEF activities to targeted K-12 audiences and to generate private sector funds and gifts to support program delivery. Proposals are requested for any or all of the following three areas of work:

1. Program planning and delivery; program and membership development (Not to exceed \$20,000)
2. Public Relations, marketing, communications, and publications development and delivery (Not to exceed \$20,000)
3. Fund development and fund raising including implementing specific campaigns and cultivating and recognizing donors (Not to exceed \$25,000)

Proposals should address one of these areas or a combination of two or more. (The three areas of work with allocations as indicated above is not to exceed \$65,000.) The anticipated time frame is July 1, 1992 - June 30, 1993. The contract may be renewed for subsequent years subject to agreement by both parties and based on continued funding.

Applicants must have documented education, experience, and technical expertise in the areas indicated.

Copies of a more complete description of these three contracts may be obtained by contacting Teresa Dahl, Minnesota Academic Excellence Foundation, 751 Capitol Square Building, 550 Cedar Street, St. Paul, MN 55101. Phone contact is (612) 297-2585.

Proposals must be received by June 22, 1992.

Minnesota State Arts Board

Proposals Sought for Graphic Design Services

The Minnesota State Arts Board is seeking proposals for design and production services for the agency's publications. The services will be provided under a contract for the period beginning July 1, 1992 through June 30, 1993. This contract has two one-year renewal options that can be exercised by mutual consent of both parties.

Respondents will be asked to provide a portfolio, staff qualifications, and a fee schedule. It is anticipated that the total design contract for one year will not exceed \$12,000.

Proposals must be received by 4:30 p.m. on June 10, 1992.

To obtain a Request for Proposals that offers complete details, please contact:

Marjorie A. Casey

Minnesota State Arts Board
432 Summit Avenue
Saint Paul, MN 55102
Phone: (612) 297-2603

Department of Human Services

Moose Lake Regional Treatment Center

Notice of Request for Proposal for Psychological Services

NOTICE IS HEREBY GIVEN that the Moose Lake Regional Treatment Center, Mental Health Bureau, Department of Human Services, is seeking the services for the period July 1, 1992 thru June 30, 1993.

These services are to be performed as requested by the Administration of the Moose Lake Regional Treatment Center.

Services of a Behavioral Psychologist to review materials and documents related to aversive/deprivation programs utilizing mechanical restraint, assess the intellectual and adaptive functioning for DD clients, assist in the development of behavioral programs with individual treatment teams. The estimated amount of contract is \$10,304.00.

Responses to the above services must be received by June 22, 1992.

Direct inquiries to:

Frank R. Milczark
Chief Executive Officer
Moose Lake Regional Treatment Center
1000 Lakeshore Drive
Moose Lake, MN 55767
(218) 485-4411, Ext. 242

Department of Public Safety

Office of Traffic Safety

Request for Proposals for Research on Peace Officers' Traffic Safety Attitudes

The Department of Public Safety is seeking proposals to plan, conduct and report the results of an in-depth study of a wide variety of law enforcement officers' attitudes on traffic safety issues. The study should involve focus groups or other interview situations; the use of only telephone or written surveys is not acceptable. Details are contained in a Request for Proposals which may be obtained by calling or writing:

Telephone: (612) 296-8512
Address: Department of Public Safety
Office of Traffic Safety
Room 207 Transportation Building
395 John Ireland Boulevard
St. Paul, Minnesota 55155
Contact: Susan Palmer

Estimated cost of the contract is \$25,000.00. Final date for submitting proposals is Friday, June 19, 1992 by 4:00 p.m.

Regional Transit Board

Proposals Sought to Provide a Management Performance Audit

The Regional Transit Board (RTB) is soliciting proposals from qualified firms to conduct a management performance audit of the Metropolitan Transit Commission (MTC), which provides fixed route bus service in the Minneapolis/St. Paul area. The MTC operates a peak fleet of 830 buses from five operating garages. In 1991, it carried 65.3 million passengers and provided 27.9 million miles of service with a total operating budget of \$111.2 million.

The scope of the performance audit includes a review of performance indicators, evaluation of the operator's efficiency and effectiveness, and recommendations for improvement. The audit is organized in two phases: Phase I involves an evaluation of overall transit operations with a performance appraisal conducted for each functional area. Phase II consists of a more detailed audit of any individual functional area that warrants greater attention.

The schedule calls for Phase I activities to start in August and a draft final report to be issued by November 1992. Phase II work, if needed, would begin in January 1993 and conclude in March 1993.

A pre-proposal conference will be held on June 12, 1992 at 9:30 a.m., and proposals will be due July 1, 1992. Copies of the request for proposal document may be obtained by calling Ed Kouneski, RTB Manager of Programs, at (612) 229-2712 or by writing to: RTB, 230 E. 5th St., St. Paul, MN 55101.

Department of Transportation

Engineering Services Division

Availability of a Contract for Bridge Underwater Inspections

The Minnesota Department of Transportation (Mn/DOT) is seeking the services of an engineering consultant to perform inspection of the underwater portions of bridge structures for up to 300 bridges on the county and city road systems in Minnesota.

Work is proposed to start after September 1, 1992.

A Request for Proposal can be obtained from:

John Wheeler
Assistant Chief, State Aid Plans Section
Office of State Aid
Room 420, Transportation Building
395 John Ireland Boulevard
St. Paul, Minnesota 55155
(612) 296-9874
FAX (612) 297-3160

Request for Proposals will be available by mail from this office through June 15, 1992. A written request is required to receive the Request for Proposal. Please indicate whether your firm is a Small Business, Small Targeted Business, or a Disadvantaged Business Enterprise in your written request. After June 15, 1992, the Request for Proposal must be picked up in person.

No time extensions will be granted.

Proposals must be received at the above address not later than 1:00 p.m. on June 22, 1992.

A minimum of 10 percent of the total dollar value of this contract shall be subcontracted to Disadvantage Business Enterprise consulting engineering firms certified by Mn/DOT.

All respondents shall submit, with their proposal, a certification of the Minnesota Department of Human Rights that they are in compliance with requirements, or are exempt from certification.

This request does not obligate the State of Minnesota Department of Transportation to complete the work contemplated in this notice, and the Department reserves the right to cancel this solicitation. All expenses incurred in responding to this notice shall be borne by the responder.

Non-State Public Contracts

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector.

It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact the editor for further details.

Iron Range Resources and Rehabilitation Board

Proposals Sought for Consultants Services on Industrial and Commercial Development

The Iron Range Resources and Rehabilitation Board requests proposals from qualified consultants to assist in the identification and attraction of bonafide candidates for industrial and commercial development within the Taconite Tax Relief Area of northeastern Minnesota. The consultant shall concentrate its efforts in the upper Midwest and Minnesota.

To this aim, the consultant shall identify specific individuals or groups whose task will be to work directly and singularly with IRRRB staff to attract potential business leads for these areas.

Background

A primary mission of the Iron Range Resources and Rehabilitation Board is the economic development of the Taconite Tax Relief Area (*Minnesota Statutes* § 273.134, § 298.22, § 298.223, § 298.292, and § 298.296).

Towards this objective, the IRRRB has identified specific sectors of economic opportunity in which the agency has focused its efforts to promote the initiation or growth of businesses perceived as leaders in the economic diversification of northeastern Minnesota. These sectors include minerals, woods products, alternate energies, tourism, and technologically innovative fields such as electronics, medical specialties, or information.

The consultant selected will provide assistance to IRRRB in meeting economic development objectives in the aforementioned or other sectors of economic opportunity, working directly with the IRRRB staff in support of business development. There will be ongoing communication with clients designated by the IRRRB Economic Development Division.

Project Scope and Work Program

The IRRRB requests that respondents address the following general areas of consideration, explaining in detail their proposed plans to accomplish stated objectives in each field. Respondents should estimate what percentage of the total time and total costs allotted will be devoted to each area of consideration, correspondingly breaking down each general area of consideration into specific tasks and detailing the respective time and money needed to accomplish each task. Consultant will office 2-3 days per week in the Twin Cities Metropolitan Area.

General areas of consideration:

1. Identification and contact of qualified candidates for industrial and commercial development within the Taconite Tax Relief Area.
 - a. From the noted target sectors or other sectors which the consultant and the IRRRB mutually ascertain as viable options for northeastern Minnesota.
 - b. While IRRRB suggests that this candidate search be limited to the upper Midwest and Minnesota; the consultant should propose and justify a specific geographic search area.
2. Assistance to the IRRRB staff in researching and developing proposals necessary to attract and secure such industrial and commercial development.
3. Formulation of strategies, detailing specific objectives.
4. Coordination of preliminary negotiations with qualified business development candidates.
5. Progress reports covering all of the above.

Time Schedule

The proposed starting date of the project is July 1, 1992 with all work to be completed by June 30, 1993. Contract is renewable, at discretion of IRRRB.

Cost of Contract

The total cost of this contract for all services and for all costs, both direct and indirect, shall not exceed \$54,000.00.

Type of Contract

The contract shall be of a fixed-term of service, not-to-exceed variety. Reimbursement of costs and services, direct and indirect, shall be made upon submission of invoices for work as completed.

Non-State Public Contracts

Limitation of Allowable Costs

The allowable costs must be in conformance with State regulations and the signed contractual agreement. The contractor shall provide a list of the personnel who will be performing work and their respective fee schedules on an hourly basis. The contractor will not be reimbursed for any costs or services not in conformance with such schedules, regulations, or the signed contractual agreement.

Consultant Selection

The consultant is expected to possess all technical skills required to deliver the services requested. Respondents should include information pertaining to the credentials and experience of all primary personnel they propose to utilize in project execution.

IRRRB shall select a consultant based on the review of proposals received. This review may also include interviews of respondents selected as finalists.

The IRRRB Commissioner shall appoint a committee of IRRRB staff or other appropriate individuals, who, along with himself, shall be responsible for final consultant selection.

Submission of Proposals

Completed proposals should be mailed or delivered to:

Iron Range Resources and Rehabilitation Board
Highway #53 South, P.O. Box 441
Eveleth, MN 55734
(218) 744-2993
Attention: Phil Bakken

Proposals responding to this RFP must be received by 4:30 p.m., Wednesday, June 10, 1992.

Late proposals will not be accepted. Please provide an original and seven copies. Each copy of the proposal must have an original signature of an authorized member of the responding firm, sealed in mailing envelopes or packages with the respondent's name and address clearly written on the outside. Such envelopes or packages should be stamped in bold letters, NE MN REGIONAL RECRUITMENT PROPOSAL—DO NOT OPEN.

The IRRRB shall not be responsible for any costs incurred in responding to this RFP.

Anticipated Date of Award

The IRRRB anticipates award of this contract by June 15, 1992.

Tentative Proposal/Contract Timelines

Publication in *State Register*: Monday, May 18, 1992.

Response Period: Tuesday, May 19, 1992—4:30 p.m., Wednesday, June 10, 1992.

Tentative Respondent Interviews: June 10-15, 1992

Anticipated Date of Contract Award: June 15, 1992

Effective Contract Date: On or near July 1, 1992

Term of Contract: July 1, 1992 - June 30, 1993.

Cancellation of Solicitation

This request for proposal does not obligate the IRRRB to complete the project, and the IRRRB reserves the right to cancel the solicitation if it is considered to be in its best interest.

Statutory Proposal Requirements

In accordance with the provisions of *Minnesota Statute* § 363.073, for state contracts in excess of \$50,000.00, all responders having more than 20 full-time employees at any time during the previous 12 months must have a certificate of compliance issued by the Commissioner of Human Rights before a proposal may be accepted. The proposal will not be accepted unless it includes one of the following:

- A. A copy of the firm's current certificate issued by the Commissioner of Human Rights.
- B. A statement certifying that the firm has a current certificate of compliance issued by the Commissioner of Human Rights.
- C. A statement certifying that the firm has not had more than 20 full-time employees in Minnesota at any time during the previous 12 months.

Any questions concerning a Certificate of Compliance may be referred to the Contract Compliance Unit of the Minnesota Department of Human Rights at (612) 296-5663.

Iron Range Resources and Rehabilitation Board

Proposals Sought for Consultant Marketing Services

The Iron Range Resources and Rehabilitation Board requests proposals from qualified consultants to assist in the area of marketing; for the agency and existing or potential northeastern Minnesota clients identified by the agency.

Background

In administration of its various financial assistance programs within the Taconite Tax Relief Area of northeastern Minnesota, IRRRB staff have noted that a critical need exists for marketing expertise in support of successful community and business development efforts.

Since these community and business efforts encompass a broad spectrum of industries and products, the IRRRB seeks a consultant with correspondingly varied background(s), knowledge, and abilities at its disposal.

The IRRRB proposes to utilize the professional expertise of such a consultant to satisfy both the internal needs of the agency as well as the needs of existing or future IRRRB clients.

Project Scope and Work Program

The IRRRB requests that respondents explain in detail their proposed plans to accomplish stated objectives in each of the following areas of consideration:

1. Assistance to IRRRB staff in evaluating marketing programs of IRRRB funding applicants.
2. Assistance to existing or new northeastern Minnesota businesses in the development of marketing strategies (at IRRRB's discretion and direction).
3. Assistance to IRRRB staff in identifying community and business development opportunities and special projects relative to existing and future market opportunities.

Respondents should estimate what percentage of the total time and total allotted costs will be devoted to each area of consideration, breaking down each general area of consideration into specific tasks and detailing the respective time and money needed to accomplish each task.

Respondents should also outline how they would propose to work with and report to IRRRB staff concerning their ongoing progress in each area of consideration.

Time Schedule

The proposed starting date of the project is July 1, 1992 with all work to be completed by June 30, 1993. Contract is renewable, at discretion of IRRRB.

Cost of Contract

The total cost of this contract for all services and for all costs, both direct and indirect, shall not exceed \$54,000.00.

Type of Contract

The contract shall be of a fixed-term of service, not-to-exceed variety. Reimbursement of costs and services, direct and indirect, shall be made upon submission of invoices for work as completed.

Limitation of Allowable Costs

The allowable costs must be in conformance with State regulations and the signed contractual agreement. The contractor shall provide a list of the personnel who will be performing work and their respective fee schedules on an hourly basis. The contractor will not be reimbursed for any costs or services not in conformance with such schedules, regulations, or the signed contractual agreement.

Consultant Selection

The consultant is expected to possess all technical skills required to deliver the services requested. Respondents should include information pertaining to the credentials and experience of all primary personnel they propose to utilize in project execution.

IRRRB shall select a consultant based on the review of proposals received. This review may also include interviews of firms as finalists among initial respondents.

The IRRRB Commissioner shall appoint a committee of IRRRB staff or other appropriate individuals, who, along with himself, shall be responsible for final consultant selection.

Submission of Proposals

Completed proposals should be mailed or delivered to:

Non-State Public Contracts

Iron Range Resources and Rehabilitation Board
Highway #53 South, P.O. Box 441
Eveleth, MN 55734
(218) 744-2993
Attention: Phil Bakken

Proposals responding to this RFP must be received by 4:30 p.m., Wednesday, June 10, 1992.

Late proposals will not be accepted. Please provide an original and seven copies. Each copy of the proposal must have an original signature of an authorized member of the responding firm, sealed in mailing envelopes or packages with the respondent's name and address clearly written on the outside. Such envelopes or packages should be stamped in bold letters, IRRRB MARKETING PROPOSAL—DO NOT OPEN.

The IRRRB shall not be responsible for any costs incurred in responding to this RFP.

Anticipated Date of Award

The IRRRB anticipates award of this contract by June 15, 1992.

Tentative Proposal/Contract Timelines

Publication in *State Register*: Monday, May 18, 1992.

Response Period: Tuesday, May 18, 1992—4:30 p.m., Wednesday, June 10, 1992.

Tentative Respondent Interviews: June 10-15, 1992

Anticipated Date of Contract Award: June 15, 1992

Effective Contract Date: On or near July 1, 1992

Term of Contract: July 1, 1992 - June 30, 1993.

Cancellation of Solicitation

This request for proposal does not obligate the IRRRB to complete the project, and the IRRRB reserves the right to cancel the solicitation if it is considered to be in its best interest.

Statutory Proposal Requirements

In accordance with the provisions of *Minnesota Statute* § 363.073, for state contracts in excess of \$50,000.00, all responders having more than 20 full-time employees at any time during the previous 12 months must have a certificate of compliance issued by the Commissioner of Human Rights before a proposal may be accepted. The proposal will not be accepted unless it includes one of the following:

- A. A copy of the firm's current certificate issued by the Commissioner of Human Rights.
- B. A statement certifying that the firm has a current certificate of compliance issued by the Commissioner of Human Rights.
- C. A statement certifying that the firm has not had more than 20 full-time employees in Minnesota at any time during the previous 12 months.

Any questions concerning a Certificate of Compliance may be referred to the Contract Compliance Unit of the Minnesota Department of Human Rights at (612) 296-5663.

Iron Range Resources and Rehabilitation Board

Proposals Sought for Consultant and Publishing Services

The Iron Range Resources and Rehabilitation Board requests proposals from qualified consultants and companies to publish **RangeView**, a tabloid magazine intended to assist the business recruitment efforts of the agency's economic development division, and also to serve as an informational piece which markets northeastern Minnesota as a great place to live, work and visit. To date, the publication has been published three times per year.

Background

A primary mission of the Iron Range Resources and Rehabilitation Board is the economic development of the Taconite Tax Relief Area (*Minnesota Statutes* 273.14, 298.22, 298.223, 298.292 and 298.296).

Toward this objective, the IRRRB has identified specific sectors of economic opportunity in which the agency has focused its efforts to promote the initiation or growth of businesses perceived as leaders in the economic diversification of northeastern Minnesota. These sectors include minerals, wood products, alternate energies, tourism, and technologically innovative fields such as electronics, medical specialties or information.

Project Scope and Work Program

The IRRRB requests that respondents address the following general areas of consideration, explaining in detail their proposed plans to accomplish stated objectives in each field. Respondents should estimate the total time and total cost allotted that will be devoted to each area of consideration, correspondingly breaking down each general area of consideration into specific tasks and detailing the respective time and money needed to accomplish each specific task.

The successful bidder will be required to furnish plate-ready film to a printer of the agency's choice.

The IRRRB has a base mailing list made up of Iron Range alumni. Additional copies are distributed to local chambers, public libraries and other economic development organizations.

General areas of consideration:

1. In addition to the base mailing list, please list the costs and methods for developing a qualified mailing list of businesses and C.E.O.'s names that would target other S.I.C. industry groups which are compatible with the agency's marketing efforts.

2. Identify the following costs or estimates associated with publishing each quarterly magazine.

Format: Eight-page expanded tabloid, self-cover, self-mailer

Frequency: Three times per year, potential to become quarterly

Size: Page size: 11" x 17"

Color: Four color throughout

Photos: Ten color photos per issue (3" x 5" to 8" x 12" size)

Editorial Focus: To encourage and inform former Rangers and business leaders of opportunities in northeastern Minnesota. Stories will also cover business development, tourism, investment opportunities, quality of life, cross marketing of IRRRB facilities and area resorts, tourism amenities, and economic development incentives.

In your proposal, outline the estimated costs per issue on the following items:

- Editorial Development (approximately half per issue)
- Photography
- Typesetting range (per page/hour)
- Client Meetings, review, miscellaneous
- Design, Keylining
- Plate-ready Litho preparation/color separations
- Mailing services for up to 60,000. Includes labeling, sorting, bulk rate postage and coordination.

Time Schedule

The proposed starting date of the contract is July 1, 1992, with all work to be completed by June 30, 1993. Contract is renewable, at discretion of the IRRRB.

Type of Contract

The contract shall be a fixed-term of service, not-to-exceed variety. Reimbursement of costs and services, direct and indirect, shall be made upon submission of invoices for work as completed.

Limitation of Allowable Costs

The allowable costs must be in conformance with State regulations and the signed contractual agreement. The contractor shall provide a list of the personnel who will be performing work and their respective fee schedules on an hourly basis. The contractor will not be reimbursed for any costs or services not in conformance with such schedules, regulations or the signed contractual agreement.

Consultant Selection

The consultant is expected to possess all technical skills required to deliver the services requested. Respondents should include information pertaining to the credentials and experience of all primary personnel they propose to utilize in project execution.

IRRRB shall select a consultant based on the review of proposals received. This review may also include interviews of respondents selected as finalists.

The IRRRB Commissioner shall appoint a committee of IRRRB staff or other appropriate individuals, who, along with himself, shall be responsible for final consultant selection.

Non-State Public Contracts

Submission of Proposals

Completed proposals should be mailed or delivered to:

Iron Range Resources and Rehabilitation Board
Highway #53 South, P.O. Box 441
Eveleth, MN 55734
(218) 744-2993
Attention: Jodi Phelps

Proposals responding to this RFP must be received by 4:30 p.m., Wednesday, June 10, 1992.

Late proposals will not be accepted. Please provide an original and seven copies. Each copy of the proposal must have an original signature of an authorized member of the responding firm, sealed in mailing envelopes or packages with the respondent's name and address clearly written on the outside. Such envelopes or packages should be stamped in bold letters, RANGEVIEW PROPOSAL—DO NOT OPEN.

The IRRRB shall not be responsible for any costs incurred in responding to this RFP.

Anticipated Date of Award

The IRRRB anticipates award of this contract by June 15, 1992.

Tentative Proposal/Contract Timelines

Publication in *State Register*: Monday, May 18, 1992

Response Period: Tuesday, May 19, 1992 - Wednesday, June 10, 1992 4:30 p.m.

Tentative Respondent Interviews: June 10-15, 1992

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Effective Contract Date: On or near July 1, 1992

Term of Contract: July 1, 1992 - June 30, 1993

Cancellation of Solicitation

This request for proposal does not obligate the IRRRB to complete the project, and the IRRRB reserves the right to cancel the solicitation if it is considered to be in its best interest.

Statutory Proposal Requirements

In accordance with the provisions of *Minnesota Statute 363.073*, for state contracts in excess of \$50,000.00, all respondents having more than 20 full-time employees at any time during the previous 12 months must have a certificate of compliance issued by the Commissioner of Human Rights before a proposal may be accepted. The proposal will be accepted unless it includes one of the following:

- A. A copy of the firm's current certificate issued by the Commissioner of Human Rights.
- B. A statement certifying that the firm has a current certificate of compliance issued by the Commissioner of Human Rights.
- C. A statement certifying that the firm has not had more than 20 full-time employees in Minnesota at any time during the previous 12 months.

Any questions concerning a Certificate of Compliance may be referred to the Contract Compliance Unit of the Minnesota Department of Human Rights at (612) 296-5663.

Metropolitan Waste Control Commission

Public Notice for Prequalification for Engineering Services

NOTICE IS HEREBY GIVEN that the Metropolitan Waste Control Commission is soliciting prequalifications for engineering services for the following:

<u>Service Type</u>	<u>Project Number</u>	<u>Project Name</u>
Planning & Design	865900	Joint Interceptor (1-MS-100) Leak Repair
Planning & Design	920800	Rosemount WWTP Expansion

All firms interested in being considered for these projects are invited to submit a letter asking for the project Request For Qualifications (RFQ).

State Contracts and Advertised Bids

All inquiries and submittals are to be addressed to Mr. Joseph H. Edwards, PE, CCS, CSI, Manager, Contracts And Documents Division, Metropolitan Waste Control Commission, Mears Park Centre, 230 East Fifth Street, St. Paul, Minnesota 55101, (612) 299-5019.

By Order of the
Metropolitan Waste Control Commission
Gordon O. Voss
Chief Administrator

State Contracts and Advertised Bids

Pursuant to the provisions of Minn. Stat. § 14.10, an agency must make reasonable effort to publicize the availability of any services contract or professional and technical services contract which has an estimated cost of over \$2,000.

Commodities contracts with an estimated value of \$15,000 or more are listed under the Materials Management Division, Department of Administration. All bids are open for 7-10 days before bidding deadline. For bid specifics, time lines, and other general information, contact the appropriate buyers whose initials appear in parentheses next to the commodity for bid, by calling (612) 296-6152.

Awards of contracts and advertised bids for commodities and printing, as well as awards of professional, technical and consulting contracts, appear in the midweek **STATE REGISTER Contracts Supplement**, published every Thursday. Call (612) 296-0931 for subscription information.

Materials Management Division—Department of Administration:

Contracts and Requisitions Open for Bid

Call 296-2600 for information on a specific bid, or to request a specific bid.

COMMODITY CODE KEY

A = Sealed Bid	G = \$5,000-\$15,000 Estimated Dollar Value	J = Targeted Vendors Only
B = Write for Price	H = \$15,000-\$50,000 Sealed Bid	K = Local Service Needed
C = Request for Proposal	I = \$50,000 and Over Sealed Bid/Human Rights Compliance Required	L = No Substitute
D = Request for Information		M = Installation Needed
E = \$0-\$1,500 Estimated Dollar Value		N = Pre-Bid Conference
F = \$1,500-\$5,000 Estimated Dollar Value		O = Insurance or Bonding Required

Commodity: Paper: fine cut sheets
Contact: Ann Wefald 612-296-2546
Bid due date at 2pm: June 12
Agency: Central Stores & Transportation
Department
Deliver to: St. Paul
Requisition #: Price contract

Commodity: Roll-up sign component
parts
Contact: Ann Wefald 612-296-2546
Bid due date at 2pm: June 15
Agency: Transportation
Deliver to: Oakdale
Requisition #: Price contract

Commodity: B F—Epson DFX-8000
printer
Contact: Bernadette Vogel 612-296-
3778
Bid due date at 4:30pm: June 3
Agency: Minnesota Department of
Transportation
Deliver to: St. Paul
Requisition #: B 02515-20691

Commodity: B G L—License
agreement for alert
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: June 3
Agency: Community College Board
Deliver to: St. Paul
Requisition #: B 27138-53201

Commodity: B F—Refrigerant recovery
unit
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: June 5
Agency: Bemidji State University
Deliver to: Bemidji
Requisition #: B 26070-14717

Commodity: A I—Snowplowing dump
trucks
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: June 12
Agency: Minnesota Department of
Transportation
Deliver to: Fort Snelling
Requisition #: B 79382-02428

State Contracts and Advertised Bids

Commodity: B F—Training software package

Contact: Joan Breisler 612-296-9071

Bid due date at 4:30pm: June 2

Agency: Community College Board

Deliver to: St. Paul

Requisition #: B 27138-53197

Commodity: B F—1000 pounds of fish

Contact: Brenda Thielen 612-296-9075

Bid due date at 4:30pm: June 3

Agency: I R R & R B

Deliver to: Chisholm

Requisition #: B 43000-60555

Commodity: B F—Canoe

Contact: Mary Jo Bruski 612-296-3772

Bid due date at 4:30pm: June 5

Agency: Department of Natural Resources—Division of Youth Programs

Deliver to: Hinckley

Requisition #: B 29000-58580

Commodity: B F—Headsets

Contact: Joan Breisler 612-296-9071

Bid due date at 4:30pm: June 4

Agency: Board of Vocational-Technical Education/Air Traffic

Deliver to: Eden Prairie

Requisition #: B 36100-51117

Commodity: B F L—Power battery

Contact: Joan Breisler 612-296-9071

Bid due date at 4:30pm: June 4

Agency: Minnesota Department of Transportation

Deliver to: Fort Snelling

Requisition #: B 79000-23514

Commodity: A H—Bathroom partitions

Contact: Linda Parkos 612-296-3725

Bid due date at 2pm: June 3

Agency: Willmar Regional Treatment Center

Deliver to: Willmar

Requisition #: B 55106-02187

Commodity: B F—Poultry for July

Contact: Linda Parkos 612-296-3725

Bid due date at 4:30pm: June 10

Agency: Minnesota Correctional Facility

Deliver to: St. Cloud

Requisition #: B 78830-11228

Commodity: A H—Handicap equipped van

Contact: Mary Jo Bruski 612-296-3772

Bid due date at 2pm: June 8

Agency: Moose Lake Regional Treatment Center

Deliver to: Moose Lake

Requisition #: B 55103-05822

Commodity: B E—Electronic supplies

Contact: Joan Breisler 612-296-9071

Bid due date at 4:30pm: June 4

Agency: Minnesota Correctional Facility

Deliver to: St. Cloud

Requisition #: B 78830-11232

Commodity: B F—Colorado time system touchpad

Contact: Linda Parkos 612-296-3725

Bid due date at 4:30pm: June 6

Agency: St. Cloud State University

Deliver to: St. Cloud

Requisition #: B 26073-23700

Commodity: B G—Meat for July

Contact: Linda Parkos 612-296-3725

Bid due date at 4:30pm: June 10

Agency: Minnesota Correctional Facility

Deliver to: St. Cloud

Requisition #: B 78830-11227

Commodity: B G—Soft serve ice cream mix

Contact: Linda Parkos 612-296-3725

Bid due date at 4:30pm: June 10

Agency: Minnesota Correctional Facility

Deliver to: St. Cloud

Requisition #: B 78830-11229

Commodity: A H—Handicap equipped van

Contact: Mary Jo Bruski 612-296-3772

Bid due date at 2pm: June 8

Agency: Brainerd Regional Human Services Center

Deliver to: Brainerd

Requisition #: B 55304-09188

Commodity: B F L—DNA probe

Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: June 4

Agency: Department of Public Safety

Deliver to: St. Paul

Requisition #: B 07300-34316

Commodity: B E—VGA overlay

Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: June 4

Agency: Bemidji State University

Deliver to: Bemidji

Requisition #: B 26070-14711

Commodity: B E—CTX monitor

Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: June 4

Agency: St. Cloud State University

Deliver to: St. Cloud

Requisition #: B 26073-23691

Commodity: B F—Zeos 486DX-33

Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: June 4

Agency: Rochester Community College

Deliver to: Rochester

Requisition #: B 27148-60918

Commodity: B F—Infocus LCD display

Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: June 4

Agency: Mesabi Community College

Deliver to: Virginia

Requisition #: B 27150-50307

Commodity: B G L—Sharp LCD panel

Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: June 4

Agency: Inver Hills Community College

Deliver to: Inver Grove Heights

Requisition #: B 27157-48799

Commodity: B E L—

Stercomicroscope—second request

Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: June 4

Agency: Department of Natural

Resources—Regional Headquarters

Deliver to: Brainerd

Requisition #: B 29003-05987-1

State Contracts and Advertised Bids

Commodity: B F—486DX/33 computer
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: June 4
Agency: Minnesota Department of Health
Deliver to: Minneapolis
Requisition #: B 12200-87631

Commodity: B F—Exabyte tape backup
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: June 4
Agency: Mankato State University
Deliver to: Mankato
Requisition #: B 26071-02217

Commodity: A H—MIPS workstation
Contact: Bernadette Vogel 612-296-3778
Bid due date at 2pm: June 19
Agency: St. Cloud State University
Deliver to: St. Cloud
Requisition #: B 26073-23695

Commodity: B F—CPR training equipment
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: June 4
Agency: Northland Community College
Deliver to: Thief River Falls
Requisition #: B 27149-48265

Commodity: B G L—Chart recorder
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: June 4
Agency: Inver Hills Community College
Deliver to: Inver Grove Heights
Requisition #: B 27157-48791

Commodity: A H L—Northprocomputers
Contact: Bernadette Vogel 612-296-3778
Bid due date at 2pm: June 8
Agency: Department of Natural Resources—Division of Forestry
Deliver to: Various places
Requisition #: B 29000-58460

Commodity: B F—Security equipment
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: June 5
Agency: Minnesota Correctional Facility—Faribault
Deliver to: Faribault
Requisition #: B 78790-20786

Commodity: B G—Anatomical training models
Contact: Teresa Manzella 612-296-7556
Bid due date at 4:30pm: June 8
Agency: Hibbing Extension Duluth Center
Deliver to: Duluth
Requisition #: B 27163-65065

Commodity: B F—Seagate hard drive
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: June 8
Agency: Department of Public Safety/Finance
Deliver to: St. Paul
Requisition #: B 07200-27236-1

Commodity: B F—Sync router
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: June 8
Agency: Mankato State University
Deliver to: Mankato
Requisition #: B 26071-72795

Commodity: A H—Motorola computer maintenance service
Contact: Bernadette Vogel 612-296-3778
Bid due date at 2pm: June 8
Agency: Minnesota Correctional Facility
Deliver to: Shakopee
Requisition #: B 78640-02405

Commodity: B F—Checkweighing scale
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: June 8
Agency: Department of Public Service
Deliver to: Roseville
Requisition #: B 80300-92259

Commodity: B F—Volumetric prover
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: June 8
Agency: Department of Public Service
Deliver to: Roseville
Requisition #: B 80300-92269

Commodity: B F—Showcase software
Contact: Joan Breisler (612) 296-9071
Bid due date at 4:30pm: June 8
Agency: Bemidji State University
Deliver to: Bemidji
Requisition #: B 26070-14712

Commodity: B E—Invacare shower chairs
Contact: Teresa Manzella 612-296-7556
Bid due date at 4:30pm: June 8
Agency: Willmar Regional Treatment Center
Deliver to: Willmar
Requisition #: B 55106-02192

Commodity: B G—386/33 laptop computers
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: June 8
Agency: Department of Finance
Deliver to: St. Paul
Requisition #: B 10000-04615

Commodity: B F—386SX/20 notebook computer
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: June 8
Agency: Minnesota Academy for the Blind
Deliver to: Faribault
Requisition #: B 37001-20890

Commodity: A H—386/25 computers
Contact: Bernadette Vogel 612-296-3778
Bid due date at 2pm: June 8
Agency: Minnesota Correctional Facility—Faribault
Deliver to: Faribault
Requisition #: B 78790-20771

State Contracts and Advertised Bids

Commodity: B F—Test weight kits
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: June 8
Agency: Department of Public Service
Deliver to: Roseville
Requisition #: B 80300-92260

Commodity: B F—Two way radios
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: June 8
Agency: Community College Board
Deliver to: Rochester
Requisition #: B 27000-60932

Commodity: B F—Refrigerator
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: June 8
Agency: St. Peter Regional Treatment Center
Deliver to: St. Peter
Requisition #: B 55105-09086

Commodity: B F—Microstation software
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: June 8
Agency: Minnesota Department of Transportation
Deliver to: St. Paul
Requisition #: B 79000-23421

Commodity: B F—Loop detector cable
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: June 8
Agency: Minnesota Department of Transportation
Deliver to: Fort Snelling
Requisition #: B 79000-23533

Commodity: B F—Electric gear motor
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: June 8
Agency: Department of Public Service
Deliver to: Roseville
Requisition #: B 80300-92271

Commodity: B F—Woodworking tools—rebid
Contact: Linda Parkos 612-296-3725
Bid due date at 4:30pm: June 5
Agency: Minnesota Department of Jobs and Training
Deliver to: Various places
Requisition #: B 21603-20940-1

Commodity: B F L—Hand hold—evaluation only
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: June 8
Agency: Minnesota Department of Transportation
Deliver to: Fort Snelling
Requisition #: B 79000-23515

Commodity: B F—Upright freezer
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: June 8
Agency: Department of Public Service
Deliver to: Roseville
Requisition #: B 80300-92263

Commodity: C H—Vertical aerial remote sensing image
Contact: Brenda Thielen 612-296-9075
Bid due date at 2pm: June 8
Agency: Department of Natural Resources—Resource Assessment Unit
Deliver to: Grand Rapids
Requisition #: B 29000-58579

Commodity: B F—Diamond cow drill bits
Contact: Linda Parkos 612-296-3725
Bid due date at 4:30pm: June 8
Agency: Minnesota Department of Transportation
Deliver to: Bemidji
Requisition #: B 79200-04396

Department of Administration: Print Communications Division

Printing vendors for the following printing contracts must review contract specifications in printing buyers office at 117 University Avenue, Room 134-B, St. Paul, MN.

Printing vendors NOTE: Other printing contracts can be found in the Materials Management Division listing above, and in the Professional, Technical & Consulting Contracts section immediately following this section.

Commodity: DNR Hunting Handbook, camera ready copy, 700M, see specs re: paper and other specifications, firm delivery date of July 31, 1992
Contact: Printing Buyer's Office
Bids are due: June 3
Agency: Department of Natural Resources
Deliver to: St. Paul
Requisition #: 23325

Pheasants in Minnesota

Pheasants in Minnesota. Through many full-color photos the book shows the ringneck pheasant in various settings, tells how to maintain wildlife habitat and explains the wise management of the hunt. Quantity discounts available. Stock #9-13, \$5.95.

Woodworking for Wildlife. Variety of game bird and mammal box designs with information on the placement of nests in proper habitat areas and maintenance requirements. Diagrams, 48 pp. Stock #9-14, \$3.95.

Landscaping for Wildlife. Gardening tips and landscaping techniques that add natural beauty to your property and habitat for wildlife. Over 70 color photos and 144 pages. Stock #9-15, \$8.95.

Wildlife Set. Order both books above as a set and save 15%. Stock #9-20, \$10.95.



TO ORDER: Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-657-3757. Minnesota residents please include 6½% sales tax. On all orders, add \$2.00 per order for handling. Prepayment is required. Please include daytime phone. VISA/MasterCard, American Express and Discover orders accepted over phone and through mail. **Prices are subject to change.** FAX: (612) 296-2265.

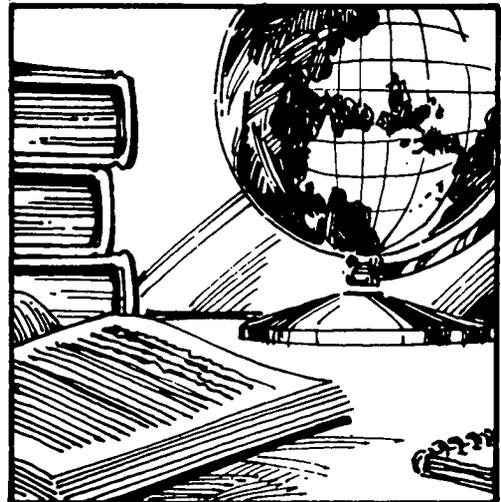
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Get Smart with these Education Resources

Board of Teaching-Licensure Rules 1990. Minnesota Rules Chapter 8700. Requirements for the issuance and renewal of all licenses, from vo-tech and hearing impaired to librarians and media generalists. Includes the Code of Ethics for Minnesota Teachers, and standards for teachers prepared in other states. Code #3-74. \$14.95 plus tax.

Education Directory 1991-92. All the elementary and secondary schools in the state. Includes Minnesota school districts, superintendents, boards, principals, district addresses, phone numbers and enrollment figures. Code #1-93. \$9.95 plus tax.

TO ORDER: Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-657-3757. Minnesota residents please include 6½% sales tax. On all orders, add \$2.00 per order for handling. Prepayment is required. Please include daytime phone. VISA/MasterCard, American Express and Discover orders accepted over phone and through mail. **Prices are subject to change.** FAX: (612) 296-2265.



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Code No.	Quantity	Description		Item Price	Total
TO ORDER: Complete attached order blank. Include either your Discover/American Express/VISA/MasterCard number with the expiration date, or a check/money order made out to the State of Minnesota. Orders by phone are accepted when purchasing with your credit card. Please include a phone number where you can be reached during the day in case we have questions about your order. Please include 6½% sales tax and \$2.00 postage and handling. Ask for our catalogs for <i>Publications</i> , <i>Outdoors</i> , or <i>Mailing Lists</i> .					
PREPAYMENT REQUIRED					
NOTE: <i>State Register</i> and other subscriptions do not require sales tax or postage and handling fees. Prices subject to change without notice. Please allow 4-6 weeks for delivery. In a hurry? Stop by our Bookstore. Bookstore Hours 8:00-4:30 M-F					
Send your order to: Minnesota's Bookstore 117 University Ave., St. Paul, MN 55155 Metro area 612-297-3000 (FAX: 296-2265) In Minnesota, toll free 1-800-657-3757					
Name or Company			Subtotal		
Attention			Plus 6½% tax MN Residents Only		
Address					
City	State	Zip	Handling (per order)	\$2.00	
American Express/VISA/MasterCard/Discover No.			TOTAL		
Signature		Expiration Date	Telephone (During Day)		

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Department of Commerce Regulated Profession Publications

Banking Laws 1989. Complete text of state law governing banks, trust companies and other financial institutions. Code #2-76. \$31.95

Business and Nonprofit Corporation Act of 1990. Laws governing establishment and conduct of for-profit and non-profit corporations in Minnesota. Chapters 302A, 308A, 317A. Code #2-87 \$19.95

Fair Labor Standards Act 1987. Minimum wage and overtime compensation standards for employers. Chapter 177. Code #2-75 \$4.95

Insurance Laws 1990. A compendium of laws applicable to the insurance business. Includes chapters on company and individual agents licensing requirements. Code #2-1. \$22.95

Insurance Rules 1991. Essential licensing information for businesses and agents. Includes standards on policies, practices, marketing and continuing education. Code #3-1. \$18.95

Banking Rules 1991. Regulating loans, financial statements, lease financing, bonds, overdrafts, records, and more. MN Rules 2675. Includes amendments adopted on March 11, 1991. Stock #3-81, \$6.95

TO ORDER: Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-657-3757. Minnesota residents please include 6½% sales tax. On all orders, add \$2.00 per order for handling. Prepayment is required. Please include daytime phone. VISA/MasterCard, American Express and Discover orders accepted over phone and through mail. **Prices are subject to change.** FAX: (612) 296-2265.

Notary Public Laws 1989. Statutory requirements regarding the oath of office, necessary bond, and taking of depositions. Includes an explanation of the term of the office and procedures for removal from office. Code #2-13 \$5.00

Real Estate Laws 1990. Complete and up-to-date extract from the 1986 Minnesota Statutes. Code #2-92 \$8.00

Real Estate Rules 1991. Contains all education and licensing requirements for agents. Chapters 2800, 2805, and 2810. Code #3-99 \$6.00

Securities Laws 1991. Governs the activities of broker/dealers, agents or investment advisors. Chapter 80A. Code #2-12 \$7.00

Securities Rules 1991. Subjects include standards of conduct, equity securities, investment companies and more. Chapter 2875. Code #3-5 \$14.00

Mailing Lists. All kinds available. Call to receive a copy of mailing list service packet. (612) 296-0930

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Human Services Laws and Rules

Human Services Laws 1991

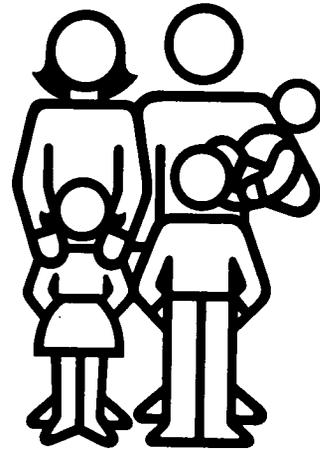
An extract from the statutes. Includes legislative amendments and additions from the most recent session. Code No. 2-56. \$34.95.

Human Services Rules 1991

Rules governing assistance programs, eligibility grant amounts, AFDC and residence requirements. MN Rules Chapter 9500-9580. Code No. 3-95. \$34.95.

3 ring binder. 2" capacity. 1 required for each of above listed publications. Code No. 10-21. \$4.95.

TO ORDER: Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-657-3757. Minnesota residents please include 6½% sales tax. On all orders, add \$2.00 per order for handling. Prepayment is required. Please include daytime phone. VISA/MasterCard, American Express and Discover orders accepted over phone and through mail. **Prices are subject to change.** FAX: (612) 296-2265.



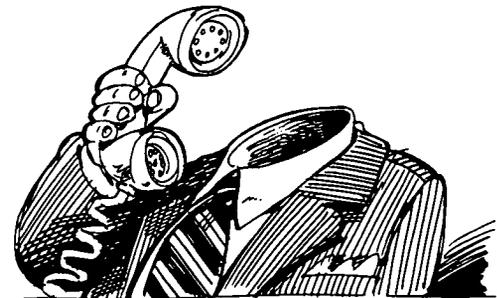
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Ever called this guy?

1992 State of Minnesota Telephone Directory. Get a direct line to the persons you want to speak to. Contains names, numbers, and agencies in the executive, legislative and judicial branches of state government. Four sections give listings alphabetically by name, agency, Minnesota region, plus an index for cross referencing. Over 288 pages, paperback, 8½"x11". Code #1-87, #12.95.

Minnesota Guidebook to State Agency Services. A treasure of information that cuts red tape and gets you **RESULTS** from Minnesota state government. This important resource helps you through applications, fees, licenses, reports, history, recreation and travel. It describes agencies in detail and how they can assist you, giving addresses, phones and contact people. Stock #1-11, \$16.90.

TO ORDER: Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-657-3757. Minnesota residents please include 6½% sales tax. On all orders, add \$2.00 per order for handling. Prepayment is required. Please include daytime phone. VISA/MasterCard, American Express and Discover orders accepted over phone and through mail. **Prices are subject to change.** FAX: (612) 296-2265.



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Minnesota's Bookstore

Publications, Services, Subscriptions

Order Form on Back—For Information, Call 297-3000

1991 Minnesota Rules. Eleven volume set includes 1992 Supplement as a subscription service. Stock #18-100, \$200 + tax (Minnesota residents only). Individual volumes can be purchased at \$20.00 + tax.

1991 Minnesota Session Laws. Two volume set includes laws passed during the 1991 session. Stock #18-1, \$32.00 + tax.

101 Ways to Promote Academic Excellence. A collection of nuts-and-bolts methods educators have successfully used to foster academic achievement. These are techniques that directly help students, can be replicated easily, are cost-effective, and that work in meeting the public education's great challenge: helping every single child learn. Code #5-1, \$4.50.

1989 Pollution Control Laws. Laws dealing with water pollution, disposal facilities, solid waste management, the Minnesota Environmental Rights Act, recycling, and more. Code #2-21, \$24.95.

1991 Hazardous Waste Rules. Governs the production, storage, transportation and disposal of hazardous waste. *Minnesota Rules* Chapter 7045 and 7046. Code #3-71, \$17.95.

Real Estate Rules 1991. Chapters 2800, 2805 and 2810 from the *Minnesota Rules*. Essential for both students and established brokers and salespersons. It contains all education and licensing requirements. Code #3-99, \$6.00.

Police Report Writing Style Manual 1989. A common framework for report writing throughout the state. Discusses the general purpose of police reports, reviews field notetaking, offers instructions on completing common report forms and introduces the Data Practices Law. Code #14-13, \$15.00.

OTHER PUBLICATIONS

Voices of the Loon. Includes introduction, loon call identification, distant chorus, tremolo duet, wail duet, border confrontation, wails with morning songbird chorus, tremolos while running, wails during thunderstorm and coyotes calling with loons. Cassette tape. Code #19-73, \$12.00.

Secrets of the Congdon Mansion. A complex, intriguing murder case set in one of Minnesota's most spectacular mansions. Now a top Minnesota tourist attraction on Duluth's famous Lake Superior North Shore Drive. By Joe Kimball. Code #19-56, \$5.95.

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